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TITLE 7—AGRICULTURE

Chapter XI—War Food Administration (Distribution Orders)

[FDO No. 79-45]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN MINNEAPOLIS-ST. PAUL, MINN., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.114 *Quota restrictions*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area*. The following area is hereby designated as a "milk sales area" to be known as the Minneapolis-St. Paul, Minnesota, sales area, and is referred to hereinafter as the "sales area":

The cities of Minneapolis and St. Paul and the entire area, encompassed by and including:

On the north, the city of Anoka and the townships of Anoka and Fridley in Anoka County; the townships of Mounds View and White Bear in Ramsey County; the townships of Lincoln and Grant in Washington County;

On the west, the townships of Brooklyn and New Hope, the villages of Osseo and Golden Valley, the townships of Minnetonka, Orono, and Excelsior, the city of Wayzata, and the

villages of Mound and Island Park, all in Hennepin County;

On the south, the township of Minnetonka and the villages of Edina and Richfield in Hennepin County; the township of Mendota, the cities of West St. Paul and South St. Paul, and the village of Inver Grove in Dakota County; and

On the east, the villages of St. Paul Park and Newport in Washington County; the township of New Canada and the village of North St. Paul in Ramsey County; the townships of Lincoln, Grant, Baytown and Stillwater, the village of Bayport, and the city of Stillwater in Washington County, all of the above being in the State of Minnesota.

(c) *Base period*. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period*. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas*. Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk _____ percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations*. No handler shall, during any quota period, make deliveries in the sales area in excess of his

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respective quotas, except as set out in (1) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are

also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in the volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handlings or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., October 22, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17008; Filed, October 19, 1943; 4:53 p. m.]

[FDO No. 79-55]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SALT LAKE CITY, UTAH, METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.105 *Quota restrictions—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Salt Lake City, Utah, metropolitan sales area, and is referred to hereinafter as the "sales area":

Salt Lake City and the election precincts 1, 2, 3, 4, 5, 6, 11, that part of precinct 7 comprising voting districts 166, 167, and 171, all in Salt Lake County; the precincts Bountiful, South Bountiful, and West Bountiful in Davis County, Utah.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byprod-

ucts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period of not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms

prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e.w.t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17009; Filed, October 19, 1943;
4:54 p. m.]

[FDO 79-56]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM, ALTOONA, PA., SALES
AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R.

14246), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered, as follows:

§ 1401.109 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Altoona, Pennsylvania, sales area, and is referred to hereinafter as the "sales area":

The city of Altoona, the townships of Allegheny, Blair, and Logan, the boroughs of Duncansville, Hollidaysburg, and Newry in Blair County; the townships of Cresson and Gallitzin, the boroughs of Ashville, Cresson, Gallitzin, Sankertown, and Tunnelhill in Cambria County; all in the State of Pennsylvania.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk, 100 percent; (ii) butterfat in milk, ----- percent; (iii) cream, 75 percent; (iv) butterfat in cream, 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese, 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent re-

duction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproducts, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

[FDO 79-57]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PHOENIX, ARIZ.,
SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.104 *Quota restrictions*—(a) *Definitions*. When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area*. The following area is hereby designated as a "milk sales area" to be known as the Phoenix, Arizona, sales area, and is referred to hereinafter as the "sales area":

The city of Phoenix and the supervisorial districts described as follows:

That part of district 1 bounded by West 8th Street, Bartlett Road, Base Line Road, South Central Avenue, Laveon Road, and city limits;

That part of district 2 bounded by Lateral 19, Arizona Canal, Indian School Road, Chicago Avenue, Thomas Road, 40th Street, U. S. Highway 60, and city limits;

That part of district 3 bounded by Salt River, Lateral 17, Buckeye Road, Lateral 15, Van Buren Street, Lateral 16, and city limits, all in Maricopa County, Arizona.

(c) *Base period*. The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period*. The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas*. Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk, 100 percent; (ii) butterfat in milk, 100 percent; (iii)

cream, 75 percent; (iv) butterfat in cream, 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese, 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations*. No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers*. Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions*. Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions*. Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas*. The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships*. (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The

(1) *Reports*. Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records*. Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules*. The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration*. Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations*. The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval*. The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17010; Filed, October 19, 1943; 4:54 p. m.]

petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director; but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(1) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been ap-

proved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17011; Filed, October 19, 1943;
4:54 p. m.]

[FDO 79-58]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DENVER, COLO., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.103 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Denver, Colorado, metropolitan sales area, and is referred to hereinafter as the "sales area":

The city of Denver (coincident with Denver County); the election precincts of Adams City, Aurora, Baker, College, East Aurora, Retreat Park, Rose Hill, Sable, and Utah Junction in Adams County; the precincts numbered 1 to 28, 30 to 37, 40, and 41 in Arapahoe County; the precincts of Bancroft, Berkeley, Columbia Heights, Daniels, Diviner, Edgewater 1 and 2, Golden 1, 2, 3, and 4, Golf Club, Griffith, Maple Grove, Mount Air, Northeast Arvada, North Lakewood, Northwest Arvada, Pleasant View, Pioneer, Southeast Arvada, South Lakewood, Southwest Arvada, Vasquez, and Wheat Ridge in Jefferson County, all in the State of Colorado.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of

pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period make deliveries in the sales area in excess of his respective quotas except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 200 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the ef-

fective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.015 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to

quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17012; Filed, October 19, 1943;
4:54 p. m.]

[FDO 79-59]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN CHARLESTON, W. VA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.111 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Charleston, West Virginia, sales area, and is referred to hereinafter as the "sales area":

The city of Charleston and the magisterial districts of Charleston, Jefferson, Loudon, Malden, and Union in Kanawa County, West Virginia; that part of the district of Pocatalco comprising part of the town of Nitro, all in Putnam County, West Virginia.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) Milk: 100 percent; (ii) butterfat in milk: _____ percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of de-

liveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17013; Filed, October 19, 1943; 4:55 p. m.]

[FDO 79-60]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PEORIA, ILL., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.98 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Peoria, Illinois sales area, and is referred to hereinafter as the "sales area":

The city of Peoria and the townships of Limestone, Peoria, and Richwoods, in Peoria County; the townships of Fondulac, Pekin, and that part of Groveland Township comprising parts of the village of Crevecoeur and the city of East Peoria, in Tazewell County, all in the State of Illinois.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) Milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for

such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Direc-

tor may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17014; Filed, October 19, 1943; 4:55 p. m.]

[FDO 79-61]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN WHEELING, W. VA., MILK SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.101 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and

processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Wheeling, West Virginia, sales area, and is referred to hereinafter as the "sales area":

The city of Wheeling and the magisterial districts of Center, Clay, Liberty, Madison, Richland, Ritchie, Triadelphia, Union, Washington, and Webster in Ohio County, West Virginia; the magisterial districts of Buffalo and Wellsburg in Brooke County, West Virginia; the magisterial districts of Clay, Union, and Washington in Marshall County, West Virginia; the townships of Colerain, Mead, Pease, and Pultney in Belmont County, Ohio; and the townships of Mount Pleasant, Smithfield, and Warren in Jefferson County, Ohio.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (1) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: --- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in

a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information

required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17015; Filed, October 19, 1943; 4:55 p. m.]

[FDO 79-62]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PORTLAND, OREG., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.107 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Portland, Oregon, metropolitan sales area, and is referred to hereinafter as the "sales area":

The city of Portland (consisting of the election precincts 1 to 392), the precincts of Swift, Faloma, Englewood, Rigler, Community Acres, Rosaria, Lochknowe, Roseway, Rose Park, Columbia, Parkrose, Ascot Acres, Russellville, Kelly, Plympton, Skagway, North Kelly Butte, South Kelly Butte, Mount Scott, Sycamore, Eastwood, Rockwood, East Gresham, West Gresham, South Gresham, Holbrook, Skyline, Bonny Slope, Sylvan, Mount Zion, Hillsdale, Capitol Hill, Ryan, Multnomah, Primrose, Maplewood, West Portland, Kilpatrick-Collins, Riverdale, Errol Heights, Darlington, Brentwood, and Kendall in Multnomah County, Oregon; the precincts of Ardenwald 1 and 2, Bryant, Clackamas, Concord, Forest Hills, Garthwick, Gladstone 1 and 2, Harmony, Hazelia, Island, Jennings Lodge, Lake Grove, Meldrum, Milwaukie 1 and 2, Oak Grove 1 and 2, Oregon City 1 to 8, Oswego 1 and 2, Park Place, Rosemont, Silver Springs, West Linn 1 to 4, White City Park, and Wichita in Clackamas County, Oregon; the precincts numbered 6, 7, 8, 9, 41, 42, and 43 in Washington County, Oregon; and the city of Vancouver and an area extending 3 miles to the east, north, and west of the city limits of Vancouver in Clark County, Washington.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75

percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exceptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchaser from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business

of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$.01 per hundredweight of each milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been ap-

proved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m. e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17016; Filed, October 19, 1943; 4:55 p. m.]

[FDO 79-63]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN LANSING, MICH., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.88 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Lansing, Michigan, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Lansing and East Lansing, and the townships of Delhi, Lansing, and Meridian, all in Ingham County, Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or

the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to ex-

ceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17017; Filed, October 19, 1943;
4:55 p. m.]

[FDO 79-64]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN DETROIT, MICH., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.96 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Detroit, Michigan, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Detroit, Dearborn, Garden City, Grosse Pointe, Hamtramck, Highland Park, Lincoln Park, Melvindale, Plymouth, River Rouge, and Wyandotte, the townships of Dearborn, Ecorse, Gratiot, Grosse Isle, Grosse Pointe, Livonia, Monguagon, Nankin, Northville, Plymouth, Redford, and Taylor in Wayne County; the cities of Center Line, East Detroit, Mount Clemens, and Utica, the townships of Clinton, Erin, Harrison, Lake, Sterling, and Warren, in Macomb County; the cities of Berkley, Birmingham, Bloomfield Hills, Farmington, Ferndale, Huntington Woods, Pleasant Ridge, Pontiac, and Royal Oak, the townships of Avon, Royal Oak, Bloomfield, Farmington, that part of Novi Township comprising part of Northville Village, Pontiac, Southfield, Troy, Waterford, and West Bloomfield in Oakland County, the entire area being in the State of Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese, 75 percent; and (vi) cottage, pot, or baker's cheese, 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof; *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk during, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified

in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17018; Filed, October 19, 1943;
4:55 p. m.]

[FDO 79-65]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN SAGINAW-BAY CITY, MICH., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.100 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Saginaw-Bay City, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Saginaw in Saginaw County, and Bay City and Essexville in Bay County; the townships of Bangor, Hampton, and Portsmouth in Bay County; and the townships of Buena Vista, Carrollton, Saginaw, and Zilwaukee in Saginaw County, all in the State of Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for

such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.*

(1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining in-

formation which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12.01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17019; Filed, October 19, 1943;
4:56 p. m.]

[FDO 79-66]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ROCKFORD, ILL., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.97 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor,

sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Rockford, Illinois, sales area, and is referred to hereinafter as the "sales area":

The city of Rockford and the townships of Rockford and Cherry Valley, in Winnebago County, Illinois.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage con-

taining more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market

agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17020; Filed, October 19, 1943;
4:56 p. m.]

[FDO 79-67]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN FLINT, MICH.,
METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.95 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same mean-

ing as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Flint, Michigan, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Flint and Mount Morris and the townships of Burton, Flint, Genesee, and Mount Morris, all in Genesee County, Michigan.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in

a quota period a daily average of less than 300 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish

volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17021; Filed, October 19, 1943;
4:56 p. m.]

[FDO 79-68]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN PITTSBURGH, PA.,
METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.102 *Quota restrictions*—(a)
Definitions. When used in this order,

unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Pittsburgh, Pennsylvania, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Pittsburgh, Clairton, Duquesne, and McKeesport; the townships of Aleppo; Baldwin, Bethel, Braddock, Collier, Crescent, East Deer, Elizabeth, Forward, Frazer, Hampton, Harmar, Harrison, Indiana, Jefferson, Kennedy, Kilbuck, Leet, Lincoln, McCandless, Mifflin, Mount Lebanon, Neville, North Versailles, O'Hara, Ohio, Patton, Penn. Plum, Reserve, Robinson, Ross, Scott, Sewickley Heights, Shaler, Snowden, South Fayette, South Versailles, Springdale, Stowe, Upper St. Clair, Versailles, West Deer, and Wilkins; the boroughs of Aspinwall, Avalon, Bellvue, Ben Avon, Ben Avon Heights, Blawnox, Brackenridge, Braddock, Brentwood, Bridgeville, Carnegie, Castle Shannon, Chalfant, Cheswick, Churchill, Coopersopolis, Crafton, Dormont, Dravesburg, East McKeesport, East Pittsburgh, Edgewood, Edgeworth, Elizabeth, Emsworth, Etna, Forest Hills, Fox Chapel, Glassport, Glenfield, Greentree, Haysville, Heidelberg, Homestead, Ingram, Leetsdale, Liberty, McDonald (that part in Allegheny County), McKees Rocks, Millvale, Mount Oliver, Munhall, North Braddock, Oakdale, Oakmont, Osborne, Pitcairn, Port Vue, Rankin, Rosslyn Farms, Sewickley, Sewickley Heights, Sharpsburg, Springdale, Swissvale, Tarentum, Thornburg, Trafford (that part in Allegheny County), Turtle Creek, Verona, Versailles, Wall, West Elizabeth, West Homestead, West View, Whitaker, Wilkinsburg, and Wilmerding, in Allegheny County; the township of Harmony and the boroughs of Aliquippa, Ambridge, Baden and South Heights, in Beaver County; the city of Uniontown, the townships of Brownsville, Georges, German, Jefferson, Luzerne, Menallen, Nicholson, North Union, Perry, Redstone, South Union, Springhill, Upper Tyrone, and Washington, and the boroughs of Bellevernon, Brownsville, Everson, Fairchance, Fayette City, Masontown, Point Marion, and Smithfield, in Fayette County; the townships of Cumberland and Monongahela and the boroughs of Carmichaels, Greensboro, and Rices Landing, in Greene County; the cities of Monongahela and Washington, the townships of Canton, Carroll, Cecil, Chartiers, East Bethlehem, East Pike Run, Fallowfield, North Franklin, South Strabane, Union, and West Pike Run, and the boroughs of Allenport, Bealsville, Bentleyville, California, Canonsburg, Centerville, Charleroi, Coal Center, Donora, Dunlevy, East Washington, Elco, Ellsworth, Finleyville, Houston, Long Branch, McDonald (that part in Washington County), New Eagle, North Charleroi, Roscoe, Speers, Stockdale, Twilight, and West Brownsville, in Washington County; the cities of Greensburg, Jeannette, Monessen, and New Kensington, the townships of East Huntingdon, Hempfield, Lower Burrell, Mount Pleasant, North Hunt-

ingdon, Penn. Rostraver, Sewickley, South Huntingdon, and Unity, and the boroughs of Adamsburg, Arnold, Arona, Hunker, Irwin, Latrobe, Madison, Manor, Mount Pleasant, North Bellevernon, North Irwin, Penn. Scottsdale, Smithton, South Greensburg, Southwest Greensburg, Sutterville, Trafford (that part in Westmoreland County), West Newton, Youngstown and Youngwood, in Westmoreland County; all in the State of Pennsylvania.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total productions of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, de-

liveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17022; Filed, October 19, 1943;
4:56 p. m.]

[FDO 79-69]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN JOHNSTOWN, PA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.110 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Johnstown, Pennsylvania, sales area, and is referred to hereinafter as the "sales area":

The city of Johnstown, the townships of Conemaugh, Croyle, East Taylor, Lower Yoder, Middle Taylor, Portage, Richland, Stony Creek, Somerhill, Upper Yoder, and West Taylor, the boroughs of Brownstown, Daisytown, Dale, East Conemaugh, Ferndale, Franklin, Geistown, Lorain, Portage, Scalp Level, South Fork, Southmont, Summerhill, Westmont, and Wilmore in Cambria County; the township of Conemaugh and the boroughs of Benson, Paint, and Windber in Somerset County, all in the State of Pennsylvania.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: _____ percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17023; Filed, October 19, 1943; 4:56 p. m.]

[FDO 79-70]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN ERIE, PA., SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the pur-

poses of such order, it is hereby ordered as follows:

§ 1401.108 *Quota restrictions—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Erie, Pennsylvania, sales area, and is referred to hereinafter as the "sales area":

The city of Erie, the townships of Harborcreek, Lawrence Park, and Millcreek, and the borough of Wesleyville all in Erie County, Pennsylvania.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: ----- percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent re-

duction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 350 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms

prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17024; Filed, October 19, 1943; 4:57 p. m.]

[FDO 79-71]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN OKLAHOMA CITY, OKLA., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No, 79

(8 F.R. 12426), issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.112 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Oklahoma City, Oklahoma, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Oklahoma City, Bethany, and Britton; the townships of Britton, Council Grove, Greeley, Mustang, and Oklahoma; and the town of Nichols Hill, all in Oklahoma County, Oklahoma.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided,* That a handler may, after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market

agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in the volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the Director and may be affirmed, modified, or reversed by the Director.

(l) *Reports.* Each handler shall transmit to the market agent on forms

prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,

Acting Director of Food Distribution.

[F. R. Doc. 43-17035; Filed, October 19, 1943; 5:13 p. m.]

[FDO 79-72]

PART 1401—DAIRY PRODUCTS

FLUID MILK AND CREAM IN TULSA, OKLA., METROPOLITAN SALES AREA

Pursuant to the authority vested in me by Food Distribution Order No. 79 (8

F. R. 12426), Issued on September 7, 1943, as amended, and to effectuate the purposes of such order, it is hereby ordered as follows:

§ 1401.113 *Quota restrictions*—(a) *Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) Each term defined in Food Distribution Order No. 79, as amended, shall, when used herein, have the same meaning as is set forth for such term in Food Distribution Order No. 79, as amended.

(2) The term "FDO 79" means Food Distribution Order No. 79, issued on September 7, 1943, as amended.

(3) The term "sub-handler" means any handler, such as a peddler, vendor, sub-dealer, or secondary dealer, who purchases in a previously packaged and processed form milk, milk byproducts, or cream for delivery.

(b) *Milk sales area.* The following area is hereby designated as a "milk sales area" to be known as the Tulsa, Oklahoma, metropolitan sales area, and is referred to hereinafter as the "sales area":

The cities of Tulsa and Sand Springs; the townships of Dawson, Lynn Lane, Red Fork, and Wekiwa, and the towns of Dawson and Garden City in Tulsa County, Oklahoma; the city of Sapulpa and the township of Sapulpa in Creek County, Oklahoma; and that part of Black Dog Township in township 20 N, ranges 10, 11, and 12 E, in Osage County, Oklahoma.

(c) *Base period.* The calendar month of June 1943 is hereby designated as the base period for the sales area.

(d) *Quota period.* The remainder of the calendar month in which the provisions hereof become effective and each subsequent calendar month, respectively, is hereby designated as a quota period for the sales area.

(e) *Handler quotas.* Quotas for each handler in the sales area in each quota period shall be calculated in terms of pounds of each of the items for which percentages are specified in (3) below and shall be determined as follows:

(1) Divide the total deliveries of each such item made in the sales area by such handler during the base period, after excluding the quota-exempt deliveries described in (i) hereof, by the number of days in the base period;

(2) Multiply the result of the foregoing calculation by the number of days in the quota period;

(3) Multiply the aforesaid resulting amount by the following applicable percentage: (i) milk: 100 percent; (ii) butterfat in milk: 100 percent; (iii) cream: 75 percent; (iv) butterfat in cream: 75 percent; (v) milk byproducts other than cottage, pot, or baker's cheese: 75 percent; and (vi) cottage, pot, or baker's cheese: 75 percent of skim milk equivalent. (For the purpose of this order, one pound of cottage, pot, or baker's cheese shall be considered as the equivalent of 7 pounds of skim milk.)

(f) *Quota limitations.* No handler shall, during any quota period, make deliveries in the sales area in excess of his respective quotas, except as set out in (i) hereof: *Provided*, That a handler may,

after application to and approval by the market agent, secure an increase in milk quotas through an equivalent reduction as determined by the market agent, in cream and milk byproducts quotas, and an increase in milk byproducts quota through an equivalent reduction as determined by the market agent, in cream quotas.

(g) *Quotas for handlers who are also producers.* Quotas for handlers who are also producers and who purchase no milk shall be 100 percent of the total production of such handlers in the base period.

(h) *Handler exemptions.* Quotas shall not apply to any handler who delivers in a quota period a daily average of less than 150 units of milk, cream, and milk byproducts. For the purpose of this order, a unit shall be the equivalent in the volume of the following: (1) milk, one quart of milk; (2) cream, one-half pint of cream; and (3) milk byproduct, one quart of skim milk, buttermilk, flavored milk drink, or other beverage containing more than 85 percent of skim milk, or one-half pound of cottage, pot, or baker's cheese.

(i) *Quota exclusions and exemptions.* Deliveries of milk, milk byproducts, or cream (1) to other handlers, except for such deliveries to sub-handlers, (2) to plants engaged in the handling or processing of milk, milk byproducts, or cream from which no milk, milk byproducts, or cream is delivered in the sales area, and (3) to the agencies or groups specified in (d) of FDO 79, shall be excluded from the computation of deliveries in the base period and exempt from charges to quotas.

(j) *Transfers and apportionment of quotas.* The market agent is empowered to deduct an amount of base period deliveries to purchasers from the total of deliveries made by a handler or other person in the base period upon the application and a showing of unreasonable hardship by the handler making deliveries to such purchasers on the effective date of this order, and to add the amount of such deliveries to the total base period deliveries of the applicant handler. Denials of transfers or transfers granted by the market agent shall be reviewed by the Director upon application.

(k) *Petition for relief from hardships.* (1) Any person affected by FDO 79 or the provisions hereof who considers that compliance therewith would work an exceptional and unreasonable hardship on him, may file with the market agent a petition addressed to the Director. The petition shall contain the correct name, address and principal place of business of the petitioner, a full statement of the facts upon which the petition is based, and the hardship involved and the nature of the relief desired.

(2) Upon receiving such petition, the market agent shall immediately investigate the representations and facts stated therein.

(3) After investigation, the petition shall be certified to the Director, but prior to certification the market agent may (i) deny the petition, or (ii) grant temporary relief for a total period not to exceed 60 days.

(4) Denials or grants of relief by the market agent shall be reviewed by the

Director and may be affirmed, modified, or reversed by the Director.

(1) *Reports.* Each handler shall transmit to the market agent on forms prescribed by the market agent the following reports:

(1) Within 20 days following the effective date of this order, reports which show the information required by the market agent to establish such handlers' quotas;

(2) Within 20 days following the close of each quota period, the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts during the preceding quota period; and

(3) Handlers exempt from quotas pursuant to (h) hereof shall, upon the request of the market agent, submit the information required by the market agent to establish volumes of deliveries of milk, cream, and milk byproducts.

(m) *Records.* Handlers shall keep and shall make available to the market agent such records of receipts, sales, deliveries, and production as the market agent shall require for the purpose of obtaining information which the Director may require for the establishment of quotas as prescribed in (b) of FDO 79.

(n) *Distribution schedules.* The distribution schedules, if any, to be followed by the handlers in making deliveries shall be made effective in the terms of approval by the Director of such schedules.

(o) *Expense of administration.* Each handler shall pay to the market agent, within 20 days after the close of each calendar month an assessment of \$0.01 per hundredweight of each of milk, cream, skim milk, buttermilk, flavored milk drinks, beverages containing more than 85 percent of skim milk, and skim milk equivalent of cottage, pot, or baker's cheese delivered during the preceding quota period and subject to quota regulations under the provisions hereof.

(p) *Violations.* The market agent shall report all violations to the Director together with the information required for the prosecution of such violations, except in a case where a handler has made deliveries in a quota period in excess of a quota in an amount not to exceed 5 percent of such quota, and in the succeeding quota period makes deliveries below that quota by at least the same percent.

(q) *Bureau of the Budget approval.* The record keeping and reporting requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(r) This order shall take effect at 12:01 a. m., e. w. t., November 1, 1943.

Issued this 19th day of October 1943.

C. W. KITCHEN,
Acting Director of Food Distribution.

[F. R. Doc. 43-17036; Filed, October 19, 1943;
5:13 p. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration

[Docket No. FDC-7-D-1]

PART 18—CONDENSED MILKS WHICH CONTAIN CORN SIRUP

DEFINITION AND STANDARD OF IDENTITY

By virtue of the authority vested in the Federal Security Administrator by provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371, 1940 ed.); the Reorganization Act of 1939 (53 Stat. 561 ff.; 5 U.S.C. 133-133v (Supp. V, 1939)); and Reorganization Plans No. I (53 Stat. 1423) and No. IV (54 Stat. 1234); upon the basis of evidence of record herein; and upon consideration of exceptions filed to the proposed order issued by the Acting Federal Security Administrator on August 10, 1943 (8 F.R. 11260), the following order is hereby promulgated:

Findings of Fact

1. When sugar in condensed milk products is replaced in whole or in any substantial part with the solids of medium or high conversion corn sirup (see finding 9) the products when first prepared have physical properties similar to those of sweetened condensed milk prepared with sugar alone. However, unless the products are stored at relatively low temperatures (less than 50° F.) they soon become noticeably thicker; this is followed by gradual darkening and further thickening, so that in a few months they are unmarketable. When held below 50° F. these products remain usable after several months storage. Although some thickening and discoloration occurs when sweetened condensed milk prepared with sugar alone is held under ordinary temperatures over long periods of time, such deterioration is much less rapid than when corn sirup is used to replace sugar in whole or in any substantial part. In general, when corn sirup is so used to replace sugar, the rate and extent of deterioration are directly proportional to the degree of replacement of sugar by corn sirup.

2. There is no evidence that corn sirup was used in preparing any kind of condensed milk product or condensed skim milk product prior to about February 1939. About March 1939, experiments were begun under a university fellowship established by a manufacturer of corn sirup, to determine whether corn sirup could be used to replace sugar, wholly or in part, in sweetened condensed skim milk. In these experiments high conversion corn sirup (see finding 9) was used, and batches were run with replacement of sugar by 25, 50, 75, and 100 percent corn sirup solids. Most of the work was done with skim milk, but one experimental batch was made with milk. In 1941 and 1942, under another university fellowship established by a different corn sirup manufacturer, small scale experiments, mostly with skim milk, were made, in which about one-third and one-half of the sugar was replaced with medium conversion corn sirup. In 1942 and 1943, somewhat similar experiments were made in the laboratories of the Bureau of Dairy Industry of the

United States Department of Agriculture, with milk and various combinations of medium and high conversion corn sirups or dried corn sirups with sugar. All these experiments gave substantially the same results as those described in finding 1.

3. The results of replacing sugar wholly or partly with corn sirup when milk is used are substantially the same as when skim milk is used.

4. Following publicity given to the results of the first experiments referred to in finding 2, a few manufacturers of milk products began to prepare and sell small amounts of sweetened condensed skim milk in which corn sirups in varying proportions are used along with sugar. These products are purchased by candy makers, bakers, and ice cream manufacturers, who are usually informed of the composition, generally by a statement of the percent by weight of sugar and corn sirup solids in the finished products. When proper allowances are made by the purchaser for the different quantities and characteristics of the sweetening ingredients, these products are acceptable. Occasionally small amounts of condensed products are made from corn sirup, sugar, and milk or a partially skimmed milk, the fat content of which approaches that of low-fat milk. These products, in general, show the same characteristic differences from those sweetened with sugar alone as are shown by the corresponding skim milk products.

5. Although experience with the use of corn sirup in condensed milk products has been quite limited, the evidence shows that products suitable for use as ingredients in the manufacture of certain other foods can be made by condensing milk with corn sirup or a mixture of sugar and corn sirup. However, such products, because of their relatively rapid deterioration when unrefrigerated, cannot be satisfactorily marketed for household use, since the usual method of retail distribution of sweetened condensed milk does not involve refrigeration. Sweetened condensed milk for household use has always been prepared with sugar alone.

6. The cost of corn sirup, on the basis of its solids content, and of dried corn sirup, is less than that of sugar, and condensed milk prepared with corn sirup or dried corn sirup can be produced at a cost less than that of sweetened condensed milk, the difference depending on the extent of replacement of sugar. Differing percentages of corn sirup solids and of sugar in condensed milks also result in differing properties and characteristics in such condensed milks and necessitate allowances or adjustments in the formulas of the foods in which such condensed milks are used as ingredients.

7. The only users of condensed milks containing corn sirup solids so far known are manufacturers of candy, ice cream, and bakery products. Most such articles are prepared in accordance with formulas specifying the quantities of corn sirup solids and sugar to be used. Changes in these quantities cause differences in the properties and characteristics of the finished foods. In order to use in such foods condensed milks containing corn sirup solids and sugar with-

out risk of changing such finished products it is necessary for the user to know the quantities of corn sirup solids and sugar in the condensed milk. Label declaration of the percentages by weight of corn sirup solids and of sugar in such condensed milks furnishes this necessary information.

8. Condensed milks in which all or part of the sugar has been replaced with corn sirup solids have not acquired common or usual names. Designations for such products which are accurate and informative and which will differentiate them from sweetened condensed milk and from each other are "corn sirup condensed milk", "condensed milk with corn sirup" or "condensed milk prepared with corn sirup", when corn sirup or dried corn sirup is used alone; and when mixtures of corn sirup or dried corn sirup and sugar are used, such names as "10% corn sirup solids 32% sugar condensed milk", "condensed milk with 12% corn sirup solids 30% sugar", or "condensed milk prepared with 22% sugar 20% corn sirup solids", the percentages stated being the whole numbers nearest the actual percentages.

9. All corn sirups are clarified and concentrated aqueous solutions of the products obtained by the incomplete hydrolysis of cornstarch. Corn sirups are sometimes dried and used in the dried state. At first only the high conversion corn sirup was used in condensed skim milk products but more recent experiments with medium conversion corn sirup show that it is also suitable for such use. No experiments have been made with low conversion corn sirup, and trade opinion indicates that it is unsuitable for such use. The differences between the low, medium, and high conversion sirups are due to differences in the quantity of certain saccharine substances in comparison with the quantity of dextrins. In common commercial practice the degree of conversion is expressed as the percent by weight (in the dry matter) of reducing sugars, calculated as anhydrous dextrose. Corn sirups and dried corn sirup showing on this basis not less than 40 percent reducing sugars, which is about the lower limit for medium conversion corn sirup, are suitable for use in condensed milk.

On the basis of the foregoing findings of fact it is concluded that:

(1) It would not promote honesty and fair dealing in the interest of consumers to provide for the use of corn sirup as an ingredient of sweetened condensed milk.

(2) The following regulation fixing and establishing definitions and standards of identity for condensed milks which contain corn sirup will promote honesty and fair dealing in the interest of consumers:

§ 18.535 *Condensed milks which contain corn sirup; identity.* (a) Condensed milks which contain corn sirup are the foods each of which conforms to the definition and standard of identity prescribed for sweetened condensed milk by § 18.530 except that corn sirup or a mixture of corn sirup and sugar is used instead of sugar or a mixture of sugar and dextrose. For the purpose of this section the term "corn sirup" means a clarified and concentrated aqueous solution of the products obtained by the incomplete

hydrolysis of cornstarch, and includes dried corn sirup; the solids of such corn sirup contain not less than 40 percent by weight of reducing sugars, calculated as anhydrous dextrose.

(b) The name of each such food is:

(1) "Corn sirup condensed milk", "condensed milk with corn sirup", or "condensed milk prepared with corn sirup", if corn sirup alone is used; or

(2) "___% Corn sirup solids ___% sugar condensed milk", "condensed milk with ___% corn sirup solids ___% sugar", or "condensed milk prepared with ___% corn sirup solids ___% sugar", if a mixture of corn sirup and sugar is used, the blanks being filled in with the whole numbers nearest the actual percentages of corn sirup solids and sugar in such food; alternately "___% sugar" may precede "___% corn sirup solids" in such names.

(Secs. 401, 701; 52 Stat. 1046, 1055; 21 U.S.C. 341, 371, 1940 ed.; the Reorganization Act of 1939, 53 Stat. 561 ff.; and Reorganization Plans Nos. I, 53 Stat. 1423, and IV, 54 Stat. 1234.)

The regulation hereby promulgated shall become effective on the ninetieth day following the date of publication of this order in the FEDERAL REGISTER.

Dated: September 28, 1943.

[SEAL]

WATSON B. MILLER,
Acting Administrator.

[F. R. Doc. 43-17004; Filed, September 30, 1943; 11:08 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter VI—Solid Fuels Administration For War

[Order 3, Amdt. 1]

PART 602—GENERAL ORDERS AND DIRECTIVES MAINTENANCE OF RECORDS AND FILING OF REPORTS

It now appears that producers and distributors of North Dakota, South Dakota, and Texas lignite do not have readily available for the period prior to September 1, 1943, certain data required to be reported by them pursuant to Solid Fuels Administration for War Order No. 3 (8 F.R. 11714).

Accordingly pursuant to the powers conferred by Executive Order No. 9332 (8 F.R. 5355), § 602.62 (a) of Solid Fuels Administration for War Order No. 3 (8 F.R. 11714) is hereby amended to read as follows:

§ 602.62 *Information and reports to be filed.* (a) Every producer and distributor of coal shall maintain appropriate records and shall file on or before the 1st day of each calendar month, commencing November 1, 1943, a report concerning the total tonnage of coal produced or shipped by said producer or distributor during the second preceding calendar month; *Provided, however,* That the report required to be filed November 1, 1943, shall cover the period July, August, September 1943, except that any such report concerning lignitic coal produced in North Dakota, South Dakota, and Texas is not required to cover the months of July and August 1943. Such report

shall be filed with the Office of the Solid Fuels Administration for War, Washington, D. C., on forms to be prescribed by it, and shall show, to the extent required by said forms, the total tonnage produced, shipped or otherwise disposed of from each mine, dumping pier, dock, central washery or preparation plant by size groups and the consumer use; in the case of railroad fuel and byproduct coal, the name of the consumer; the method of movement, the applicable market area and the destination state or port to which shipments were made.

This amendment shall take effect on the date of issuance.

(E.O. 9332, 8 F.R. 5355; E.O. 9125, 7 F.R. 2719; sec. 2 (a) Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 19th day of October 1943.

H. A. GRAY,
Deputy Solid Fuels Administrator
for War.

[F. R. Doc. 43-17064; Filed, October 20, 1943; 10:58 a. m.]

TITLE 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

[Special Reg. 1, Amdt.]

PART 137—SPECIAL REGULATIONS UNDER EXECUTIVE ORDER NO. 8389, AS AMENDED, AND EXECUTIVE ORDER NO. 9193

SUBPART A—REQUIRING OF REPORTS ON FORM TFR-500 BY PERSONS SUBJECT TO THE JURISDICTION OF THE U. S. WITH RESPECT TO PROPERTY IN ANY FOREIGN COUNTRY

OCTOBER 19, 1943.

Section 137.4 of Special Regulation No. 1 is hereby amended by the substitution of the date December 1, 1943, for the date November 1, 1943, wherever the latter appears.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; sec. 3, Pub. Law 831, 77th Cong.; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. 8998, Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941)

[SEAL] RANDOLPH C. PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-17002; Filed, October 19, 1943; 4:07 p. m.]

[Pub. Circ. 22, Amdt.]

APPENDIX B—PUBLIC CIRCULARS UNDER EXECUTIVE ORDER NO. 8389, APRIL 10, 1940, AS AMENDED AND REGULATIONS IS- SUED PURSUANT THERETO

FOREIGN FUNDS CONTROL

OCTOBER 19, 1943.

Section II-9 of Public Circular No. 22 is hereby amended by the substitution of the date December 1, 1943, for the date November 1, 1943, wherever the latter appears.

(Sec. 3 (a), 40 Stat. 412; sec. 5 (b), 40 Stat. 415 and 966; sec. 2, 48 Stat. 1; 54 Stat. 179; 55 Stat. 838; sec. 3, Pub. Law 831, 77th Cong.; E.O. 8389, April 10, 1940, as amended by E.O. 8785, June 14, 1941, E.O. 8832, July 26, 1941, E.O. 8963, Dec. 9, 1941, and E.O. Dec. 26, 1941; E.O. 9193, July 6, 1942; Regulations, April 10, 1940, as amended June 14, 1941, and July 26, 1941; Special Regulation No. 1, June 1, 1943)

[SEAL] RANDOLPH C. PAUL,
Acting Secretary of the Treasury.

[F. R. Doc. 43-17003; Filed, October 19, 1943;
4:07 p. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XI—Office of Price Administration

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 450, Amdt. 1]

WRITING PAPER AND CERTAIN OTHER FINE PAPERS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 450 is amended in the following respects:

1. Section 16 is amended to read as follows:

SEC. 16. *Sales to the United States Government or any agency thereof.* The maximum price for sales to the United States Government or any agency thereof shall be the maximum price for the sale of that paper by a manufacturer as listed in this regulation, less a discount of 3%, except that the maximum price for sales of the following special government grades shall be as listed below less a discount of 3%. The prices listed below are the maximum base prices for white paper, in sheets, packed in accordance with government specifications. Differentials shall be applied in accordance with the provisions of this regulation relating to the application of such differentials upon sales other than to the Federal Government.

	Per cwt.
100% Rag Bond.....	\$25.00
25% Rag Mimeograph.....	10.50
Chemical Woodpulp Manifold.....	10.25

2. Appendix D is amended to read as follows:

APPENDIX D—MAXIMUM PRICES FOR CERTAIN TYPES OF DIRECT SALES

(a) Notwithstanding anything contained in the Appendices A, B, or C, any manufacturer who in making direct sales of any of the papers covered by this regulation performs services not generally performed by manufacturers and who has consequently customarily charged higher prices upon such sales than upon sales to merchants, may determine his maximum price for such sales under paragraph (b) below, *Providing*, He has filed with the Office of Price Administration in Washington, D. C., on or before September 15, 1943, a statement explaining to what extent he performs such services and explaining his system of mark-ups with respect to such direct

sales. If manufacturer has rendered such services and charged such higher prices only in particular areas or upon certain types of direct sales or to certain types of direct purchasers, he shall set forth these customary practices in reasonable detail. Any information already on file with the Office of Price Administration may be incorporated into the statement by reference. After filing this statement manufacturer may determine his maximum price under paragraph (b) of this Appendix D for all direct sales covered by the statement, unless and until he is advised by the Office of Price Administration in writing that all or part of such sales must be priced under Appendices A, B, or C. This paragraph is not applicable to sales which have been determined by the Office of Price Administration to be merchant sales, after the filing of an application for a ruling upon this question in the manner specified in section 16 (b) of Maximum Price Regulation No. 400.²

(b) The maximum price for direct sales by a manufacturer who has complied with the requirements of paragraph (a) of this Appendix D shall be determined as follows: The manufacturer shall determine the highest base price charged by him during the period October 1, 1941, through March 31, 1942, upon a sale of the same or a similar grade to the same purchaser or to a purchaser to whom manufacturer would customarily sell at the same price. The term "similar grade" has the meaning stated in Appendix C. The "maximum base price" is arrived at by taking the highest price charged and adjusting that price upward or downward, as the case may be, in accordance with the differentials, charges, discounts, allowances and other pricing elements that entered into the manufacturer's calculation of his selling price upon such direct sales during the period October 1, 1941, through March 31, 1942. To the maximum base price thus determined there shall be added or subtracted, as the case may be, any applicable differentials, discounts, charges, allowances, or other pricing elements as set forth in section 15 of this regulation. The price arrived at after the addition or subtraction of these pricing elements is the permissible maximum price for such direct sales; *Provided, however*, That upon sales of rag content bond, chemical woodpulp bond, opaque circular, and any grades related to the foregoing as specified in Appendices A and B, in basis weights of 16 pounds and lighter, there may be added an amount equal to 7½% of the maximum price permitted under this Appendix D upon sales of such paper in basis weight of 20 pounds, which amount shall be rounded out to the nearest 5¢ per cwt.

This amendment shall become effective October 25, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78 Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17038; Filed, October 19, 1943;
5:07 p. m.]

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[Rev. MPR 464]

PULPWOOD PRODUCED IN DESIGNATED STATES

Correction

The following changes should be made in F.R. Doc. 43-16784, appearing at page 14074 of the issue for Saturday, October 16, 1943:

* 8 F.R. 7566, 11563.

1. In section 1 (a) "Ohio" should be inserted between "West Virginia" and "Kentucky".

2. Section 3 should read as follows:

SEC. 3. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order.

3. In section 8 paragraphs (a) (2) to (a) (9) should read as follows:

(2) "Pulpwood producer" or "seller" includes any person who sells pulpwood;

(3) "Consumer" includes any person who purchases pulpwood for its own consumption;

(4) "Pulpwood" means any species of wood (exclusive of mill waste or mill by-products) sold for manufacture into woodpulp;

(5) "Pine wood" includes longleaf pine, shortleaf pine, loblolly pine, slash pine, pond pine, sand pine, spruce pine, and any other species of the genus *pinus*;

(6) "Hardwood" includes the wood of all broadleaf, deciduous trees;

(7) "Rough pulpwood" means pulpwood from which the bark has not been removed;

(8) "Peeled pulpwood" includes any pulpwood which has been sap-peeled or barked prior to its delivery to a consumer;

(9) "A cord of pulpwood" means an amount of pulpwood (whether peeled, rossed or rough) which, when properly prepared and stacked, contains 128 cubic feet.

4. The following note should appear between the effective and issuance dates at the end of the document:

NOTE: All of the reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

PART 1347—PAPER, PAPER PRODUCTS, RAW MATERIALS FOR PAPER AND PAPER PRODUCTS, PRINTING AND PUBLISHING

[MPR 480]

MANUFACTURERS' MAXIMUM PRICES FOR PAPER SHIPPING SACKS

In the judgment of the Price Administrator, it is necessary and proper to establish manufacturers' maximum prices for paper shipping sacks by a separate maximum price regulation. The Price Administrator has ascertained and given due consideration to manufacturers' prices for paper shipping sacks prevail-

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 11522.

ing between October 1 and October 15, 1941, inclusive, and has made adjustments for such relevant factors as he determined and deemed to be of general applicability. So far as practical, the Price Administrator has advised and consulted with representative members of the industry which will be affected by this regulation.

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended; and Executive Orders Nos. 9250 and 9328. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

§ 1347.804 Manufacturers' maximum prices for paper shipping sacks. Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 480 (Manufacturers' Maximum Prices for Paper Shipping Sacks), which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1347.804 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 480—MANUFACTURERS' MAXIMUM PRICES FOR PAPER SHIPPING SACKS

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 13. Applicability of this Maximum Price Regulation No. 480.
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It is the general intent of this Maximum Price Regulation No. 480 to hold the prices of the commodities covered by this regulation at the level of prices in effect during the period October 1 to November 30, 1941, inclusive.

SECTION 1. Prohibition against dealing in paper shipping sacks above maximum prices. On and after October 25, 1943, regardless of any contract, agreement, lease or other obligation:

(a) No manufacturer shall sell, deliver or transfer paper shipping sacks at higher prices than those set forth in Appendix A of this Maximum Price Regulation No. 480.

(b) No person shall buy or receive from a manufacturer any paper shipping

sacks in the course of trade or business at higher prices than those set forth in Appendix A of this Maximum Price Regulation No. 480.

(c) No person shall agree, offer, solicit or attempt to do any of the foregoing: *Provided*, That the provisions of this Maximum Price Regulation No. 480 shall not apply to sales or deliveries of paper shipping sacks to a purchaser if prior to October 25, 1943, such paper shipping sacks have been received by a carrier other than a carrier owned or controlled by the seller for shipment to such purchaser.

Sec. 2. Less than maximum prices. Lower prices than those established by this Maximum Price Regulation No. 480 may be charged, demanded, paid or offered.

Sec. 3. Export sales. The maximum prices at which a person may export paper shipping sacks covered by this Maximum Price Regulation No. 480, shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation, issued by the Office of Price Administration.

Sec. 4. Federal and state taxes. Any tax upon, or incident to, the sale or delivery of paper shipping sacks covered by this Maximum Price Regulation No. 480, imposed by any statute of the United States or statute or ordinance of any state or subdivision thereof, shall be treated as follows in determining the seller's maximum price for such commodity and in preparing the records of such seller with respect thereto: If the statute or ordinance imposing such tax does not prohibit the seller from stating and collecting the tax separately from the purchase price, and the seller does separately state it, the seller may collect, in addition to the maximum price, the amount of the tax actually paid by him or an amount equal to the amount of tax paid by any prior vendor and separately stated and collected from the seller by the vendor from whom he purchased: *Provided, however*, That the tax on the transportation of all property (excepting coal) imposed by section 620 of the Revenue Act of 1942 shall for purposes of determining the applicable maximum price of any product covered by this Maximum Price Regulation No. 480 be treated as though it were an increase of 3% in the amount charged by every person engaged in the business of transporting property for hire. It shall not be treated as a tax for which a charge may be made in addition to the maximum price.

Sec. 5. Adjustable pricing. Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the

Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order or letter.

Sec. 6. Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after October 24, 1943, and the transferee carries on the business, or continues to deal in the same type of commodities or services in an establishment separate from any other establishment previously owned or operated by him, the maximum prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records in accordance with section 10 of this Maximum Price Regulation No. 480 shall be the same. The transferor shall either preserve and make available, for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, or turn over to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the record and report provisions of this Maximum Price Regulation No. 480.

Sec. 7. Petitions for amendment. Any person seeking an amendment of any provision of this Maximum Price Regulation No. 480 may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1, issued by the Office of Price Administration.

Sec. 8. Evasion. Price limitations set forth in this Maximum Price Regulation No. 480 shall not be evaded whether by direct or indirect methods, in connection with any offer, solicitation, agreement, sale, delivery, purchase or receipt of, or relating to paper shipping sacks, alone or in conjunction with any other commodity or by way of commission, service, transportation, or other charges, or discount, premium, or other privilege, or other trade understanding, or by modifying, discontinuing or altering any customary trade practice of the seller, or by increasing terms for the extension of credit, or by splitting orders, or by reducing the size of the sale, or by refusing to accept a large order, or by any other means.

Sec. 9. Enforcement. (a) Persons violating any provision of this Maximum Price Regulation No. 480 are subject to the criminal penalties, civil enforcement actions, license suspension proceedings and suits for treble damages provided for by the Emergency Price Control Act of 1942, as amended.

(b) **Licensing.** The provisions of Licensing Order No. 1, licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more price schedules or regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 10. Records and reports. Every manufacturer selling paper shipping sacks covered by this Maximum Price Regulation No. 480 shall:

*Copies may be obtained from the Office of Price Administration.

(a) Within 21 days after October 25, 1943, file with the Office of Price Administration, Washington, 25, D. C., the price lists and/or price formulae (as defined in Sec. 11 of this regulation) employed in determining selling prices on paper shipping sacks.

(b) On and after October 25, 1943, preserve for examination by the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect, accurate records of each sale, showing the date thereof, the name and address of the buyer, the price contracted for or received and the quantity of each type and grade of such paper shipping sacks sold. He shall also preserve all records kept in accordance with the General Maximum Price Regulation.

(c) Submit such reports to the Office of Price Administration and shall keep such other records in addition to or in place of the records required in paragraphs (a) and (b) of this section as the Office of Price Administration may from time to time require, subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

Sec. 11. Definitions. (a) When used in this Maximum Price Regulation No. 480, the terms:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing.

(2) "Manufacturer" includes any person who manufactures, from any raw materials, partially or completely, any of the commodities covered by this Maximum Price Regulation No. 480, and includes the agents and representatives of such person. Each manufacturer's place of business set up basically to process, partially or completely, and sells any of the commodities covered by this Maximum Price Regulation No. 480, shall be deemed to be a separate seller.

(3) "Paper shipping sack" means any single-wall, duplex, or multi-wall paper sack designed for use as: (i) A primary container for packing a particular commodity for storage or shipment; (ii) A container shipping sack for combining a number of packages of a particular commodity into a single shipping unit; (iii) An overslip shipping sack for containing a single package of a particular commodity. It does not include those paper bags defined in Maximum Price Regulation No. 182 (Kraft Wrapping Papers and Certain Bag Papers and Certain Bags) and in Maximum Price Regulation No. 463 (Specialty Paper Bags and Specialty Paper Envelopes).

(4) "Records" include, without limitations, books of account, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading and other documents, letters and correspondence.

(5) "Sell" includes sell, supply, dispose, barter, exchange, lease, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "sale,"

"selling," "sold," "seller," "buy," "purchase" and "purchaser" shall be construed accordingly, except that nothing in this Maximum Price Regulation No. 480 shall be construed to prohibit the making of a contract to sell a commodity included in this Maximum Price Regulation No. 480 at a price not to exceed the maximum price at the time of delivery.

(6) "Commodities" includes commodities, articles, products and materials.

(7) "Comparable commodity" as used in this Maximum Price Regulation No. 480, means a commodity which is made by the same seller, is recognized in the trade or industry as having the same general use and serviceability, and is most closely comparable by grade, cost and quantities of raw materials for a unit of the commodity, and is most nearly alike for the converting operations required. If more than one commodity can be regarded as comparable, the one whose current direct cost is closest to the current direct cost of the commodity being priced shall be regarded as the "comparable commodity." (Printing shall have no effect on the comparability of the commodity.)

(8) "Direct cost" means the sum of direct labor and direct material costs. Direct labor costs shall in no event be computed on wage rates higher than those permitted by law, and direct material costs shall in no event be computed on prices higher than the maximum prices established by the applicable maximum price regulations.

(9) "Price lists and price formulae" mean either published and circulated price lists or a published means of calculation by which prices may be determined, or similar sheets for use by salesmen, agents, etc. and in effect during the period October 1 to November 30, 1941, inclusive, or such price lists or price formulae as specifically approved by letter to the manufacturer from the Office of Price Administration, Washington, D. C., prior to the effective date of this regulation.

(10) "Services" include any service rendered or supplied otherwise than as an employee, in connection with the manufacture and processing of any of the products covered by this Maximum Price Regulation No. 480, and generally without limiting the foregoing, all services, including printing, which preserve or add to the value or utility of such products.

(b) Unless the context otherwise requires, the definitions set forth in Section 302 of the Emergency Price Control Act of 1942 shall apply to other terms used herein.

Sec. 12. Applicability of the General Maximum Price Regulation. The provisions of this Maximum Price Regulation No. 480 supersede the provisions of the General Maximum Price Regulation with respect to sales and deliveries by manufacturers of paper shipping sacks for which maximum manufacturers' prices are established by this Maximum Price Regulation No. 480.

Sec. 13. Applicability of this Maximum Price Regulation No. 480. The provisions of this Maximum Price Regulation No.

480 shall be applicable to the continental limits of the United States.

Appendix A: Manufacturers' maximum prices for paper shipping sacks. (a) The manufacturers' maximum delivered price for any shipping sack shall be established by the following:

(1) The price for such commodity as set forth in the price lists or computed in accordance with the price formulae (as defined in section 11 of this regulation).

(2) If the manufacturer is unable to determine a maximum delivered price for a commodity under paragraph (a) (1) above, the manufacturer shall:

(i) Select the most comparable commodity (as defined in section 11 of this regulation) for which a maximum price has been established under paragraph (a) (1) above;

(ii) Divide his maximum price for the most comparable commodity by its current direct cost (as defined in section 11 of this regulation);

(iii) Multiply the percentage so obtained by the current direct cost of the commodity being priced.

(3) If the manufacturer is unable to determine a maximum delivered price for a commodity under paragraph (a) (1) or (a) (2) above, he shall file an application for approval of a maximum price with the Office of Price Administration, Washington, D. C. The application shall set forth:

(i) A description of the commodity for which a maximum price is sought;

(ii) The reason why such commodity cannot be priced under paragraphs (a) (1) or (a) (2) above;

(iii) The maximum price proposed by the manufacturer, together with a detailed explanation of the method by which the manufacturer calculated such price;

(iv) The reasons why the manufacturer believes the proposed price to be in line with the level of maximum prices established by this regulation; and

(v) The manufacturer shall also submit such additional pertinent information as this Office may require.

Unless the Office of Price Administration or a duly authorized representative thereof shall, by letter mailed to the applicant within 21 days from the filing of such application approve, disapprove, adjust, amend, or extend the time within which to do any of the foregoing, such application shall be deemed to have been approved, subject to non-retroactive written disapproval or adjustment at any later time by the Office of Price Administration.

(b) No manufacturer shall change his customary allowances, discounts or other price differentials in effect during the period October 1 to November 30, 1941, inclusive, unless such change results in a lower price.

This Maximum Price Regulation No. 480 shall become effective October 25, 1943.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17032; Filed, October 19, 1943;
5:09 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 378,¹ Amdt. 4]

MIXED FEEDS FOR ANIMALS AND POULTRY

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation No. 378 is amended in the following respects:

1. Item 2 in the table of section 14 (a) is amended to read as follows:

Commodity	Maximum markup	
	Per ton	Per 100 pound bag
All rabbit feeds, all pig and hog feeds, all sheep and goat feeds, all growing and broiler mashers and pellets for poultry, ducks and turkeys, except (a) flushing mashers, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain (b) and starting mashers and pellets for poultry, ducks and turkeys.	\$7.00	\$3.35

2. Item 3 in the table of section 14 (a) is amended to read as follows:

Commodity	Maximum markup	
	Per ton	Per 100 pound bag
All pigeon and squab feeds, all mineral mixed feeds, all calf feeds, all poultry, duck and turkey mashers and pellets designed for starting poultry, ducks and turkeys and flushing mashers, concentrates and supplements for poultry, ducks and turkeys used for further mixing or feeding with more than 50% of grain.	\$10.00	\$3.30

This amendment shall become effective October 25, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17033; Filed, October 19, 1943;
5:09 p. m.]

PART 1361—FARM EQUIPMENT

[MPR 246,² Amdt. 10]

MANUFACTURERS' AND WHOLESALE PRICES FOR FARM EQUIPMENT

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1361.57b is added to read as follows:

§ 1361.57b *Maximum prices for No. 2 pitcher spout pumps.* This section is applicable to sales by manufacturers of No. 2 pitcher spout pumps made from cast iron with a three inch cylinder and adapted for a 1 1/4 inch suction pipe. Notwithstanding any other provisions of this regulation, the maximum price f. o. b. factory, for such pitcher spout pumps shall be determined by multiplying by 120% the maximum price determined in accordance with the applicable provisions of this regulation, except this section.

This amendment shall become effective October 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17027; Filed, October 19, 1943;
5:05 p. m.]

PART 1362—CERAMIC PRODUCTS, STRUCTURAL CLAY PRODUCTS AND OTHER MASONRY MATERIALS

[Rev. MPR 206]

VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

Maximum Price Regulation No. 206 is redesignated Revised Maximum Price Regulation No. 206 and is revised and amended to read as set forth below:

In the judgment of the Price Administrator it is necessary and proper in order to effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, to replace the General Maximum Price Regulation No. 188³ with a separate regulation establishing maximum prices for vitrified clay sewer pipe and allied products at prices prevailing with respect thereto during the period October 1 to 15, 1941.

Such specifications and standards as are used in this regulation were, prior to such use, in general use in the trade or industry affected.

So far as practical the Price Administrator has consulted with representatives of the trade and industry which will be affected by this revised regulation. In the judgment of the Price Administrator the maximum prices established by this revised regulation are generally fair and equitable and will effectuate the purpose

¹ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4978, 4848, 6047, 6982, 8511, 9025, 9991, 11955, 13724.

² 7 F.R. 5872, 7967, 8943, 8948, 10155, 8 F.R. 537, 1815, 1980, 3105, 3788, 3850, 4140, 4931, 5759, 7107, 8751, 8754, 8236, 10433, 10906, 11037, 12406, 12479, 12186, 12668.

of said Act. The statement of considerations involved in the issuance of this Revised Maximum Price Regulation No. 206, has been issued simultaneously herewith, and has been filed with the Division of the Federal Register.*

§ 1362.101 *Maximum prices for vitrified clay sewer pipe and allied products.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Revised Maximum Price Regulation No. 206 (Vitrified Clay Sewer Pipe and Allied Products) which is annexed hereto and made a part hereof, is hereby issued.

AUTHORITY: § 1362.101 Issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

REVISED MAXIMUM PRICE REGULATION 206—VITRIFIED CLAY SEWER PIPE AND ALLIED PRODUCTS

ARTICLE I—PERSONS AND TRANSACTIONS SUBJECT TO THIS REVISED REGULATION: ITS RELATIONSHIP TO OTHER REGULATIONS

Sec.

- 1.1 Persons subject to this revised regulation.
- 1.2 Transactions covered by this revised regulation.
- 1.3 Form of regulation and matters to which each article in this revised maximum price regulation relates.
- 1.4 Relationship of this Revised Maximum Price Regulation No. 206 to other regulations.

ARTICLE II—PROHIBITIONS AND PENALTIES

- 2.1 Prohibitions against dealing in sewer pipe products at prices above the maximum price.
- 2.2 Prohibited practices.
- 2.3 Penalties.

ARTICLE III—MISCELLANEOUS PROVISIONS

- 3.1 Applications for adjustment or petitions for amendment.
- 3.2 Licensing.
- 3.3 Adjustable pricing.
- 3.4 Federal and State taxes.
- 3.5 Records and reports.
- 3.6 Other definitions.

ARTICLE IV—PROVISIONS APPLICABLE TO ALL AREAS, PRICES, DELIVERY OBLIGATIONS, AND QUALITY

- 4.1 Maximum prices for "pick-up basis" and for "less than carload shipments by rail".
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- 7.1 Application.
- 7.2 List prices.
- 7.3 Percentage discounts.
- 7.4 Maximum prices.

*Copies may be obtained from the Office of Price Administration.

³ 8 F.R. 5810, 5648, 9530, 10435.

⁴ 7 F.R. 8587, 9039, 8948; 8 F.R. 236, 544, 6045, 6425, 7767, 9623, 9997, 11435.

ARTICLE VIII—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE WEST CENTRAL AREA

Sec.

- 8.1 Application.
- 8.2 List prices.
- 8.3 Percentage discounts.
- 8.4 Maximum prices.

ARTICLE IX—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE SOUTH CENTRAL AREA

- 9.1 Application.
- 9.2 List prices.
- 9.3 Percentage discounts.
- 9.4 Maximum prices.

ARTICLE X—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE ROCKY MOUNTAIN AREA

- 10.1 Application.
- 10.2 List prices.
- 10.3 Percentage discounts.
- 10.4 Maximum prices.

ARTICLE XI—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE PACIFIC AREA

- 11.1 Application.
- 11.2 List prices.
- 11.3 Percentage discounts.
- 11.4 Maximum prices.

ARTICLE I—PERSONS AND TRANSACTIONS SUBJECT TO THE REVISED REGULATION: ITS RELATIONSHIP TO OTHER REGULATIONS

SECTION 1.1 Persons subject to this revised regulation. Any person who makes the type or kind of sale or purchase covered by this regulation is subject to the regulation.

"Persons" means any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing, and includes the United States or any agency thereof, or any other Government or any of its political subdivisions, or any agency of any of the foregoing.

SEC. 1.2 Transactions covered by this revised regulation. This regulation covers only sales of vitrified clay sewer pipe and allied products where the shipment originates at the factory rather than at a distribution yard. The regulation shall be applicable to all of the 48 states of the United States and the District of Columbia which are divided for the purpose of this revised regulation into seven geographical areas.

"Vitrified clay sewer pipe and allied products" means any sewer pipe, sewer pipe fittings, flue linings, including chimney pipe and fittings, and wall coping of the types listed in Articles I to XI made from surface clay, fire clay, or shale or combinations of these materials.

The term "sewer pipe products" will be used hereafter in this revised regulation instead of the term "vitrified clay sewer pipe and allied products", and is to be understood in all cases except where specifically defined otherwise as meaning "vitrified clay sewer pipe and allied products".

SEC. 1.3 Form of regulation and matters to which each article in this revised maximum price regulation relates. This regulation consists of eleven articles. The first four articles are applicable in general to all sewer pipe products enumerated herein. The next seven articles

establish maximum prices for the several geographical areas as follows:

- Article V—Eastern Area
- Article VI—Southern Area
- Article VII—East Central Area
- Article VIII—West Central Area
- Article IX—South Central Area
- Article X—Rocky Mountain Area
- Article XI—Pacific Area

SEC. 1.4 Relationship of this Revised Maximum Price Regulation No. 206 to other regulations—(a) *Export.* The maximum price at which a person may export sewer pipe shall be determined in accordance with the provisions of the Second Revised Maximum Export Price Regulation⁸ issued by the Office of Price Administration.

(b) *Import.* This regulation is not applicable to sales of sewer pipe if they originate outside of and are imported into the continental United States. Such sales and deliveries are governed by the Maximum Import Price Regulation.⁹

(c) *Maximum Price Regulation 188, as amended.* The provisions of this revised regulation supersede Maximum Price Regulation No. 188, as amended, with respect to all sales and deliveries made by manufacturers where the shipment originates at the factory. New products falling within the definition of sewer pipe products, but which cannot be priced under the provisions of this Revised Maximum Price Regulation No. 206, shall be priced in accordance with the pricing provisions of Maximum Price Regulation No. 188. In all other sales of sewer pipe products where shipment does not originate at the factory, the General Maximum Price Regulation shall apply.

ARTICLE II—PROHIBITIONS AND PENALTIES

SEC. 2.1 Prohibitions against dealing in sewer pipe products at prices above the maximum price. (a) On and after the 25th day of October 1943, the effective date of this regulation:

(1) No person shall sell or deliver or contract to sell or deliver any sewer pipe products at prices higher than the maximum prices established by this regulation.

(2) No person, in the course of trade or business, shall buy or receive any sewer pipe products at a price higher than that permitted by this regulation.

(3) No person shall agree, offer, solicit, or attempt to do any of the acts prohibited in subparagraphs (1) and (2) of this paragraph.

(b) *Less than maximum prices.* Lower prices than those provided for in this regulation may, of course, be charged or paid.

SEC. 2.2 Prohibited practices—(a) *General.* Any practice which is a device to secure the effect of a higher-than-ceiling price without actually raising the dollar-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, and the like.

⁸ 8 F.R. 4132, 5987, 7662.

⁹ 8 F.R. 11681, 12237.

(b) *Specific prohibited practices.* The following are among the specific practices prohibited by this regulation:

(1) Securing the effect of higher prices by changing credit practices or cash discounts from what they were during the period October 1 to 15, 1941. This includes reducing the cash discount periods, decreasing credit period, or making greater charges for extension of credit.

(2) Making terms or conditions of sale more onerous to the purchaser than those in effect or available to the purchaser during the period October 1 to 15, 1941.

(3) Falsely or wrongly grading, classifying, or invoicing sewer pipe products.

(4) Charging commissions, or charging for services that are not specified in this Revised Maximum Price Regulation No. 206.

(5) Lowering or decreasing the grade or quality of any sewer pipe products, except as permitted by this regulation, without a corresponding reduction in price.

SEC. 2.3 Penalties. (a) Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942, as amended.

(b) No War Procurement Agency or any contracting or paying finance officer thereof shall be subject to any liability, civil or criminal, imposed by this regulation, or by the Emergency Price Control Act of 1942, as amended. "War Procurement Agency" as used in this paragraph includes the War Department, the Navy Department, United States Maritime Commission, and the Lend-Lease section of the Procurement Division of the Treasury Department, or any agency of any of the foregoing.

ARTICLE III—MISCELLANEOUS PROVISIONS

SEC. 3.1 Petitions for amendment. Application for adjustment—(a) *Petitions for amendment.* Any person seeking a modification of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1.⁶ A petition for amendment must propose a change of general applicability in the regulation for the industry as a whole or a substantial portion thereof or a change affecting all sellers in a given area, as distinguished from an application which seeks an individual price adjustment.

(b) *Applications for adjustment—*(1) *Government contracts.* Any person who has made or intends to make a government contract or subcontract thereunder, who believes that a maximum price under this regulation impedes or threatens to impede the production, manufacture, or distribution of a commodity or the supply of a service which is essential to the war program and which is or will be the subject of the contract or subcontract may file an application for adjustment of that maximum price in accordance with Procedural Regulation No.

⁶ 7 F.R. 8961, 8 F.R. 3313, 3533, 6173, 11806.

6,* issued by the Office of Price Administration.

(2) *Existing or threatened shortage.* The Office of Price Administration, or any duly authorized representative thereof, may adjust any maximum price established by this regulation for any seller subject to this regulation who is unable to maintain or expand his production under the maximum prices established by this regulation whenever there is a shortage in the essential supply of sewer pipe products. The extent of relief to be granted under this provision is as follows:

(i) Whenever it appears that a shortage exists or threatens to exist in the essential supply of sewer pipe products, and that the seller of such commodity is unable to maintain or expand his production at his maximum price or prices, the Office of Price Administration may, either on application for adjustment in accordance with the provisions of Revised Procedural Regulation No. 1, or on its own motion, by order, adjust his maximum price or prices by an amount necessary to permit the maintenance or expansion of such production upon a basis which will cover not more than total cost.

In determining the amount of adjustment which may be granted, consideration will be given to such factors as:

(a) Revenue from sales of such commodity and from all other sources, and

(b) Production; mining, development, processing, and transportation costs; administrative and sales expenses; depreciation and depletion charges; taxes excluding Federal and State income taxes; and capital investment.

Sec. 3.2 *Licensing.* The provisions of Licensing Order No. 1,⁷ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

Sec. 3.3 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office

of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

Sec. 3.4 *Federal and State taxes.* (a) There may be added to the maximum prices established by this regulation the amount of tax levied by any Federal excise tax statute or any State or municipal sales, gross receipts, gross proceeds, or compensating use tax statute or ordinance under which the tax is measured by gross proceeds or units of sale, if, but only if: (1) such statute or ordinance requires the vendor to state the tax separately from the purchase price paid by the purchaser, consumer, or user, on the bill, sales check, or evidence of sale at the time of the transaction; or (2) such statute or ordinance requires such tax to be separately paid by the purchaser, consumer, or user with tokens or other media of State or municipal tax payments; or (3) such statute or ordinance permits the vendor to state such tax separately, and such tax is in fact stated separately by the vendor. The amount of tax permitted to be added by this paragraph shall in no event exceed that paid by the purchaser, consumer, or user.

(b) *Application of Supplementary Order No. 31.*⁸ *Federal Excise Tax on Transportation.* Sales and deliveries of sewer pipe products, the maximum prices for which are established by this regulation, are controlled by Supplementary Order No. 31, issued by the Office of Price Administration. For the purpose of determining the applicable maximum price of any sewer pipe products, the tax on the transportation of property imposed by the Revenue Act of 1942 shall be treated as though it were an increase in the amount charged by every person engaged in the business of transporting property for hire. To the extent that a seller must bear transportation charges, he shall also bear the tax thereon. To the extent that a buyer must bear transportation charges, he shall also be required to pay the tax thereon. In no event shall the tax upon transportation of property, imposed by the Revenue Act of 1942, be considered as a tax within the meaning of the preceding paragraph (a) of this section.

Sec. 3.5 *Records and reports.*—(a) *Records.* Every person making purchases or sales subject to this revised regulation in the amount of \$200 or more in any one calendar month must keep records containing a description of each purchase, sale, or delivery, showing the date thereof, the name and address of the buyer and the seller, the point of origin, and the point of delivery of the shipment, the price paid or received, and the quantity of each grade and classification of the product purchased, sold or

delivered. All such records must be available for inspection by representatives of the Office of Price Administration for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

(b) *Reports.* Persons subject to this regulations shall submit such reports to the Office of Price Administration as it may from time to time require, subject to the approval of the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Sec. 3.6 *Other definitions.* (a) When used in this Revised Maximum Price Regulation No. 206 the term: (1) "Carload shipment" means a shipment or quantity of vitrified clay sewer pipe and allied products which totals at least the minimum weight, as set forth in the tariffs of railroad carriers, upon which the railroad carload rate from the point of shipment to the point of destination is based: *Provided, however,* That where a smaller quantity is shipped which would move at the railroad carload rate rather than at the railroad less-than-carload rate because a lower transportation charge is produced thereby, such smaller quantity shall be considered a carload shipment; except that the seller may charge the buyer with the amount which represents the difference in cost between the applicable minimum carload freight charge and the applicable freight cost for the quantity shipped. This means that the purchaser shall pay the freight on the missing weight.

(2) "Distribution yard" means a place of business at which vitrified clay sewer pipe and allied products are received for purposes of storing and resale.

(3) "Factory" means a place where vitrified clay sewer pipe and allied products are made.

(b) Unless the context otherwise requires, the definitions set forth in section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to other terms used herein.

ARTICLE IV—PROVISIONS APPLICABLE TO ALL AREAS, PRICES, DELIVERY OBLIGATIONS, AND QUALITY

Sec. 4.1 *Maximum prices for "pick-up basis" and for "less than carload shipments by rail".* (a) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis", except the St. Louis Metropolitan Area, and for "less than carload shipments by rail" shall be a price not in excess of the highest price charged for delivery on a "pick-up basis", and for "less than a carload shipment by rail" during the month of March 1942 for the same quality, kind, and quantity of sewer pipe products delivered to purchasers of the same class.

(b) Maximum prices for the sale of sewer pipe products sold f. o. b. factory on a "pick-up basis" and/or "delivered" for the St. Louis Metropolitan Area are established in section 8.4 (c) of this article.

* 7 F.R. 6087, 5664; 8 F.R. 6173, 6174.

⁸ 8 F.R. 13240.

* 7 F.R. 9894, 8 F.R. 1312, 3702.

The term "pick-up basis" when used in reference to a sale means a transaction in which a purchaser takes delivery of sewer pipe products at the factory and removes the sewer pipe products from the factory in a conveyance provided by the purchaser.

The term "less than carload shipment" means a shipment or quantity of vitrified clay sewer pipe and allied products which totals less than the minimum weight as set forth in the tariffs of railroad carriers upon which the railroad carload rate from the point of shipment to the point of destination is based.

SEC. 4.2 *Delivery obligations.* For purposes of this revised regulation the delivery obligation on all sales (except those on a "pick-up basis") shall be considered as completed when, as in the case of rail shipment, the shipment arrives at the rail siding nearest the location designated by the purchaser; or when, in the case of shipment by motor carrier, the shipment arrives at the site designated by the purchaser.

SEC. 4.3 *Requirement for maintenance of standard quality in sewer pipe products.* If the quality of any seller's vitrified clay sewer pipe and allied products is reduced below the standards or quality in effect during the year 1941, the product must be considered to be a new product within the meaning of this regulation, and a maximum price for such products must be determined in accordance with the provisions of § 1499.154 and sections therein referred to, of Maximum Price Regulation No. 188 (Manufacturers' Maximum Prices for Specified Building Materials and Consumers' Goods Other Than Apparel).

ARTICLE V—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE EASTERN AREA

SEC. 5.1 *Application.* The provisions of this article shall apply to sales of sewer pipe products when delivery to the purchaser is within the Eastern Area which is hereby defined as the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, West Virginia, Ohio, lower peninsula of Michigan, and that part of Kentucky described as follows: All points in Campbell and Kenton Counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railway.

SEC. 5.2 *List prices.* The list prices of sewer pipe products when delivery to the purchaser is within the Eastern Area shall be as shown in the following tables numbered 1 to 19, inclusive. Each item shown in the tables of list prices carries a discount number which is shown op-

posite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products:	Table numbers
Flue lining: Rectangular or square	16
Flue lining: Round	17
Flue Rings	18
Sewer Pipe: #1 single strength	1
Sewer Pipe: #1 double strength	2
Sewer Pipe: #2 single strength	3
Sewer Pipe: #2 double strength	4
Sewer Pipe Fittings:	
Curves	6
Elbows	6
Increasers	6
Reducers	6
Saddles	6
Slants	6
Stoppers	6
Strainers	6
T's: single and double; standard and special	5
Traps:	
Catch basin	13
Half	12
H. H.	8
Double H. H.	9
Center H. H.	10
P & R	7
S	11
Vee Branches	6
Y Branches: single and double; standard and special	5
Stove Pipe	19
Stove Pipe Fittings:	
Anchor bonnets	19
Bird cage wind guards	19
Bottoms	19
Chimney bases	19
Double openings	19
Drop bottoms	19
Keg bonnets	19
Mandary tops	19
O. G. bonnets	19
Single openings	19
Wall Coping:	
Camel back	14
Double slant	14
New style	14
Single slant	15
Wall coping fittings:	
Angles	14 and 15
Closed ends or starters	14 and 15
Corners	14 and 15
Tees	14 and 15

TABLE 1.—SEWER PIPE: #1 SINGLE STRENGTH, 2-FOOT AND 3-FOOT LENGTHS

Inside diameter (inches)	Per foot	Discount number	
		2 feet	3 feet
2	\$0.30	2	6
4	.30	2	6
6	.45	2	6
8	.45	2	6
10	.70	2	4
12	1.05	2	4
14	1.05	2	4
16	1.35	2	4
18	1.80	2	4
20	2.50	2	4
22	3.00	2	4
24	3.50	2	4
26	4.00	2	4
28	4.50	2	4
30	6.50	10	10
32	7.20	10	10
34	9.00	13	13
36	10.25	13	13

TABLE 2.—SEWER PIPE: #1 DOUBLE STRENGTH 2-FOOT AND 3-FOOT LENGTHS

Inside diameter (inches)	Per foot	Discount number	
		2 feet	3 feet
15	\$1.80	7	11
18	2.50	11	12
20	3.00	11	12
22	3.50	11	12
24	4.00	11	12
26	4.50	11	12
28	6.50	14	14
30	7.20	14	14
32	9.00	16	16
36	10.25	16	16

TABLE 3.—SEWER PIPE: #2 SINGLE STRENGTH 2-FOOT AND 3-FOOT LENGTHS

Inside diameter (inches)	Per foot	Discount number	
		2 feet	3 feet
3	\$0.30	1	1
4	.30	1	1
5	.45	1	1
6	.45	1	1
8	.70	1	1
9	1.05	1	1
10	1.05	1	1
12	1.35	1	1
15	1.80	1	1
18	2.50	1	1
20	3.00	1	1
22	3.50	1	1
24	4.00	1	1
26	4.50	1	1
28	6.50	1	9
30	7.20	1	9
32	9.00	15	15
36	10.25	15	15

TABLE 4.—SEWER PIPE: #2 DOUBLE STRENGTH 2-FOOT AND 3-FOOT LENGTHS

Inside diameter (inches)	Per foot	Discount number	
		2 feet	3 feet
15	\$1.80	3	3
18	2.50	5	5
20	3.00	5	5
22	3.50	5	5
24	4.00	5	5
26	4.50	5	5
28	6.50	9	9
30	7.20	9	9
32	9.00	15	15
36	10.25	15	15

TABLE 5.—SEWER PIPE FITTINGS: SPECIAL Y AND T BRANCHES: SINGLE AND DOUBLE

Size (inches)	Y's and T's	Double Y's and T's		Discount number
	2 feet each	3 feet each	2 feet each	3 feet each
3 x 3	\$1.20	—	\$2.40	—
4 x 3	1.20	—	2.40	—
4 x 4	1.20	—	1.50	—
5 x 3	2.25	—	3.60	—
5 x 4	1.80	—	2.25	—
5 x 5	1.80	—	3.00	—
6 x 3	2.25	—	3.60	—
6 x 4	1.80	\$2.25	2.25	\$2.70
6 x 5	1.80	2.25	2.25	—
6 x 6	1.80	2.25	3.60	4.05
8 x 3	3.50	4.20	5.60	6.30
8 x 4	2.80	3.50	5.60	6.30
8 x 5	2.80	3.50	5.60	6.30
8 x 6	3.50	4.20	5.60	6.30
8 x 8	4.20	5.25	8.40	9.45
9 x 4	4.20	5.25	8.40	9.45
9 x 5	4.20	5.25	8.40	9.45
9 x 6	4.20	5.25	8.40	9.45
9 x 8	4.20	5.25	8.40	9.45
9 x 9	5.25	6.30	8.40	9.45
10 x 4	4.20	5.25	8.40	9.45
10 x 5	4.20	5.25	8.40	9.45
10 x 6	4.20	5.25	8.40	9.45
10 x 8	4.20	5.25	8.40	9.45

TABLE 5.—SEWER PIPE FITTINGS: SPECIAL Y AND T BRANCHES: SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's		Double Y's and T's		Discount number
	2 feet each	3 feet each	2 feet each	3 feet each	
10 x 10.....	\$5.25	\$6.30	\$8.40	\$9.45	2
12 x 4.....	5.40	6.75	10.80	12.15	2
12 x 6.....	5.40	6.75	10.80	12.15	2
12 x 8.....	5.40	6.75	10.80	12.15	2
12 x 10.....	5.40	6.75	10.80	12.15	2
12 x 12.....	6.75	8.10	10.80	12.15	2
12 x 15.....	6.75	8.10	10.80	12.15	2
15 x 4.....	7.20	9.00	14.40	16.20	2
15 x 6.....	7.20	9.00	14.40	16.20	2
15 x 8.....	7.20	9.00	14.40	16.20	2
15 x 10.....	7.20	9.00	14.40	16.20	2
15 x 12.....	7.20	9.00	14.40	16.20	2
15 x 15.....	7.20	9.00	14.40	16.20	2
15 x 18.....	7.20	9.00	14.40	16.20	2
18 x 4.....	10.00	12.50	20.00	22.50	2
18 x 6.....	10.00	12.50	20.00	22.50	2
18 x 8.....	10.00	12.50	20.00	22.50	2
18 x 10.....	10.00	12.50	20.00	22.50	2
18 x 12.....	10.00	12.50	20.00	22.50	2
18 x 15.....	10.00	12.50	20.00	22.50	2
18 x 18.....	10.00	12.50	20.00	22.50	2
20 x 4.....	12.00	15.00	24.00	27.00	2
20 x 6.....	12.00	15.00	24.00	27.00	2
20 x 8.....	12.00	15.00	24.00	27.00	2
20 x 10.....	12.00	15.00	24.00	27.00	2
20 x 12.....	12.00	15.00	24.00	27.00	2
22 x 6.....	16.00	20.00	32.00	36.00	2
22 x 8.....	16.00	20.00	32.00	36.00	2
22 x 10.....	16.00	20.00	32.00	36.00	2
22 x 12.....	16.00	20.00	32.00	36.00	2
22 x 15.....	16.00	20.00	32.00	36.00	2
22 x 18.....	16.00	20.00	32.00	36.00	2
22 x 20.....	16.00	20.00	32.00	36.00	2
22 x 21.....	16.00	20.00	32.00	36.00	2
22 x 22.....	16.00	20.00	32.00	36.00	2
24 x 4.....	18.00	22.50	36.00	40.50	2
24 x 6.....	18.00	22.50	36.00	40.50	2
24 x 8.....	18.00	22.50	36.00	40.50	2
24 x 10.....	18.00	22.50	36.00	40.50	2
24 x 12.....	18.00	22.50	36.00	40.50	2
24 x 15.....	18.00	22.50	36.00	40.50	2
24 x 18.....	18.00	22.50	36.00	40.50	2
24 x 20.....	18.00	22.50	36.00	40.50	2
24 x 21.....	18.00	22.50	36.00	40.50	2
24 x 22.....	18.00	22.50	36.00	40.50	2

TABLE 5.—SEWER PIPE FITTINGS: SPECIAL Y AND T BRANCHES: SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's		Double Y's and T's		Discount number
	2 feet each	3 feet each	2 feet each	3 feet each	
18 x 6.....	\$10.00	\$12.50	\$20.00	\$22.50	2
18 x 8.....	10.00	12.50	20.00	22.50	2
18 x 9.....	10.00	12.50	20.00	22.50	2
18 x 10.....	10.00	12.50	20.00	22.50	2
18 x 12.....	10.00	12.50	20.00	22.50	2
18 x 15.....	10.00	12.50	20.00	22.50	2
18 x 18.....	10.00	12.50	20.00	22.50	2
20 x 4.....	12.00	15.00	24.00	27.00	2
20 x 6.....	12.00	15.00	24.00	27.00	2
20 x 8.....	12.00	15.00	24.00	27.00	2
20 x 10.....	12.00	15.00	24.00	27.00	2
20 x 12.....	12.00	15.00	24.00	27.00	2
22 x 6.....	16.00	20.00	32.00	36.00	2
22 x 8.....	16.00	20.00	32.00	36.00	2
22 x 10.....	16.00	20.00	32.00	36.00	2
22 x 12.....	16.00	20.00	32.00	36.00	2
22 x 15.....	16.00	20.00	32.00	36.00	2
22 x 18.....	16.00	20.00	32.00	36.00	2
22 x 20.....	16.00	20.00	32.00	36.00	2
22 x 21.....	16.00	20.00	32.00	36.00	2
22 x 22.....	16.00	20.00	32.00	36.00	2
24 x 4.....	18.00	22.50	36.00	40.50	2
24 x 6.....	18.00	22.50	36.00	40.50	2
24 x 8.....	18.00	22.50	36.00	40.50	2
24 x 10.....	18.00	22.50	36.00	40.50	2
24 x 12.....	18.00	22.50	36.00	40.50	2
24 x 15.....	18.00	22.50	36.00	40.50	2
24 x 18.....	18.00	22.50	36.00	40.50	2
24 x 20.....	18.00	22.50	36.00	40.50	2
24 x 21.....	18.00	22.50	36.00	40.50	2
24 x 22.....	18.00	22.50	36.00	40.50	2

TABLE 2.—SEWER PIPE FITTINGS: DOUBLE H. H. TRAPS

Size (inches)	Each	Discount number
3.....	\$3.60	2
4.....	3.60	2
5.....	5.40	2
6.....	5.40	2
8.....	8.40	2

TABLE 10.—SEWER PIPE FITTINGS: CENTER H. H. TRAPS

Size (inches)	Each	Discount number
4 x 4.....	\$2.40	2
5 x 4.....	3.60	2
5 x 5.....	3.60	2
6 x 4.....	3.60	2
6 x 5.....	3.60	2
6 x 6.....	4.50	2
8 x 3.....	7.00	2
8 x 4.....	7.00	2
8 x 5.....	7.00	2
8 x 6.....	7.00	2
8 x 8.....	7.00	2

Center H. H. traps not listed above take 10 times the list price of 1 foot of pipe of same size.

TABLE 11.—SEWER PIPE FITTINGS: S TRAPS

Size (inches)	Each	Discount number
3.....	\$3.00	2
4.....	3.00	2
5.....	4.50	2
6.....	4.50	2
8.....	7.00	2

TABLE 12.—SEWER PIPE FITTINGS: HALF TRAPS

Size (inches)	Each	Discount number
4.....	\$2.40	2
5.....	3.60	2
6.....	3.60	2
8.....	5.40	2
10.....	10.50	2
12.....	20.25	2

TABLE 13.—SEWER PIPE FITTINGS: CATCH BASIN TRAPS

Size (inches)	Each	Discount number
6 x 4.....	\$2.25	2

TABLE 14.—WALL COPING AND FITTINGS: DOUBLE SLANT, CAMEL BACK AND NEW STYLE

	Sizes			Discount number
	9"	13"	18"	
Straight coping, per foot.....	\$0.40	\$0.60	\$1.20	2
Corners, each.....	1.20	1.80	3.60	2
Closed ends or starters, each.....	1.20	1.80	3.60	2
Angles, each.....	2.00	3.00	6.00	2
Tees, each.....	3.20	4.80	9.60	2

TABLE 6.—SEWER PIPE FITTINGS: VEE BRANCHES, CURVES AND ELBOWS, SLANTS, INCREASERS AND DECREASES, SADDLES, STOPPERS AND STRAINERS

Inside diameter (inches)	Vee branches, each	Curves, each	Elbows, each	Slants, 2 feet or less, each	Increases and reducers, each	Saddles, each	Stoppers, each	Strainers, each	Discount number
3.....	\$3.00	\$1.20	\$1.20	\$1.80	1.20	\$1.20	\$0.15	\$0.30	2
4.....	3.00	1.20	1.20	1.80	1.20	1.20	.15	.30	2
5.....	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	2
6.....	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	2
8.....	7.00	2.80	2.80	2.80	2.80	2.80	.35	.70	2
9.....	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	2
10.....	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	2
12.....	13.50	5.40	5.40	5.40	5.40	5.40	.67½	1.35	2
15.....	18.00	7.20	7.20	7.20	7.20	7.20	1.00	2.00	2
18.....	25.00	10.00	10.00	10.00	10.00	10.00	1.50	3.00	2
20.....	30.00	12.00	12.00	12.00	12.00	12.00	2.00	4.00	2
21.....	35.00	14.00	14.00	14.00	14.00	14.00	2.50	5.00	2
22.....	40.00	16.00	16.00	16.00	16.00	16.00	3.00	6.00	2
24.....	45.00	18.00	18.00	18.00	18.00	18.00	3.50	7.00	2

NOTE: Curves and elbows in sizes 10" and 12", when furnished molded, take 5 times the price of 1 foot of pipe of same size.

NOTE: Curves and elbows 3" to 8", inclusive, when furnished in 24" lengths, take 6 times the price of 1 foot of pipe of same size.

TABLE 7.—SEWER PIPE FITTINGS: P. & R. TRAPS

Size (inches)	Each	Discount number
3.....	\$2.40	2
4.....	2.40	2
5.....	3.60	2
6.....	3.60	2
8.....	5.40	2
9.....	15.75	2
10.....	15.75	2
12.....	27.00	2

TABLE 8.—SEWER PIPE FITTINGS: H. H. TRAPS

Size (inches)	Each	Discount number
3 x 3.....	\$2.40	2
4 x 4.....	2.40	2
5 x 4.....	3.60	2
5 x 5.....	3.60	2
6 x 4.....	3.60	2
6 x 5.....	3.60	2
6 x 6.....	3.60	2
8 x 5.....	5.60	2
8 x 6.....	5.60	2
10 x 3.....	15.75	2
10 x 4.....	15.75	2
10 x 5.....	15.75	2
10 x 6.....	15.75	2
10 x 8.....	15.75	2
10 x 10.....	15.75	2
12 x 3.....	27.00	2
12 x 4.....	27.00	2
12 x 5.....	27.00	2
12 x 6.....	27.00	2
12 x 8.....	27.00	2
12 x 10.....	27.00	2
12 x 12.....	27.00	2

H. H. traps not listed above take 10 times the list price of 1 foot of pipe of the same size.

TABLE 15.—WALL COPING AND FITTINGS: SINGLE SLANT COPING

	Size			Discount number
	9"	13"	18"	
Straight coping, per foot.....	\$0.80	\$1.20	\$2.40	2
Corners, each.....	2.40	3.60	7.20	2
Closed ends or starters, each.....	2.40	3.60	7.20	2
Angles, each.....	4.00	6.00	12.00	2
Tees, each.....	6.40	9.60	19.20	2

TABLE 16.—FLUE LINING: SQUARE OR RECTANGULAR

Size (inches)	Price per foot	Discount number
4½ x 8½.....	\$0.45	2
4½ x 13.....	.60	2
7½ x 7½.....	.45	2
8½ x 8½.....	.60	2
8½ x 13.....	.90	2
8½ x 18.....	1.35	2
13 x 13.....	1.15	2
13 x 18.....	1.75	2
18 x 18.....	2.25	2
20 x 20.....	3.25	15
20 x 24.....	3.75	15
24 x 24.....	4.25	15

TABLE 19.—STOVE PIPE AND FITTINGS

Inside diameter (inches)	Stove pipe	Single openings	Double openings	Bottoms 2 ft. long	Drop bottoms	Mandary tops, keg and O. G. bonnets, and bird-cage wind-guards	Anchor bonnets and chimney bases	Discount number
	Per Foot	Each	Each	Each	Each	Each	Each	
5.....	\$0.45	\$1.80	\$2.25	\$1.80	\$2.70			2
6.....	.45	1.80	2.25	1.80	2.70	\$2.70	\$2.25	2
7.....	.70	2.80	3.50	2.80	4.20	4.20	3.50	2
8.....	.70	2.80	3.50	2.80	4.20	4.90	3.50	2
9.....	1.05	4.20		4.20				2
10.....	1.05	4.20		4.20				2
12.....	1.35	5.40		5.40				2
15.....	1.80	7.20		7.20				2
18.....	2.50	10.00		10.00				2
20.....	3.00	12.00		12.00				2
24.....	4.50	18.00		18.00				2

Single or double openings, supplied with or without closed ends.
Single or double openings, with closed end, take 50% additional to list price.

SEC. 5.3 Percentage discounts. The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any freight zone in the Eastern Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. The hori-

zontal line of figures at the top of the table indicates various rail freight rate zones per cwt. from Akron, Ohio, to points of destination. After determining the proper freight zone within which the destination point occurs, the applicable percentage discount will be found at the junction of the vertical freight zone column and the horizontal line at which the predetermined discount number appears.

PERCENTAGE DISCOUNTS

Discount No.	1-10¢	11-13¢	14-16¢	17-19¢	20-22¢	23-25¢	26-28¢	29-31¢	32-34¢	35-37¢	38-40¢	41-43¢	44-46¢	47-49¢	50-52¢
1.....	73	72	71	70	69	68	67	66	65	64	63	62	61	60	59
2.....	70	69	68	67	66	65	64	63	62	61	60	59	58	57	56
3.....	70	69	67	66	64	63	61	60	58	57	55	54	52	51	49
4.....	67	66	65	64	63	62	61	60	59	58	57	56	55	54	53
5.....	67	66	64	63	61	60	58	57	55	54	52	51	49	48	46
6.....	65	64	63	62	61	60	59	58	57	56	55	54	53	52	51
7.....	65	64	62	61	59	58	56	55	53	52	50	49	47	46	45
8.....	64	63	62	61	60	59	58	57	56	55	54	53	52	51	50
9.....	63	62	61	60	59	58	57	56	55	54	53	52	51	50	49
10.....	62	61	60	59	58	57	56	55	54	53	52	51	50	49	48
11.....	62	61	59	58	56	55	53	52	50	49	47	46	44	43	41
12.....	59	58	56	55	53	52	50	49	47	46	44	43	41	40	38
13.....	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43
14.....	57	56	54	53	51	50	48	47	45	44	43	41	39	38	36
15.....	57	56	55	54	53	52	51	50	49	48	47	46	45	44	43
16.....	52	51	49	48	46	45	43	42	40	39	37	36	34	33	31

¹ Fractional rates in excess of the highest rate in one zone fall within the next highest zone.

TABLE 17.—FLUE LINING: ROUND

Inside measure (inches)	Price per foot	Discount number
6.....	\$0.45	2
7.....	.70	2
8.....	.70	2
10.....	1.05	2
12.....	1.35	2
15.....	1.80	2
18.....	2.50	2
20.....	3.00	2
21.....	3.50	2
22.....	4.00	2
24.....	4.50	2

TABLE 18.—FLUE LINING: FLUE RINGS (WITH OR WITHOUT FLANGE)

Inside diameter (inches)	List price, each	Lengths (inches)	Discount number
5.....	\$0.75	4½, 6, 9, 12.....	2
6.....	.75	4½, 6, 9, 12.....	2
7.....	1.05	4½, 6, 9, 12.....	2
8.....	1.05	4½, 6, 9, 12.....	2
9.....	1.25	4½, 6, 9, 12.....	2
10.....	1.25	4½, 6, 9, 12.....	2
12.....	1.50	4½, 6, 9, 12.....	2

SEC. 5.4 Maximum prices. Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in tables 1 to 19 inclusive, the discounts as determined in section 5.3 hereof, in accordance with the following rules:

(a) The maximum f. o. b. factory price for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed to a destination, within any freight zone shall be determined by applying the appropriate discounts to the list prices contained in section 5.2.

(b) The maximum price for full truck load quantities of sewer pipe products delivered by motor carrier, full freight allowed to a destination, within any freight zone shall be determined by applying a discount two points shorter, to the list prices contained in section 5.2, than the discount which would have been applicable had the shipment been a carload shipment by rail.

ARTICLE VI—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE SOUTHERN AREA

SEC. 6.1 Application. The provisions of this article shall apply to all sales of sewer pipe products when delivery to the purchaser is within the Southern Area which is hereby defined as the states of North Carolina, South Carolina, Georgia, Alabama, Florida,* Tennessee, Mississippi, and Louisiana east of the Mississippi River.

SEC. 6.2 List prices. The list prices of sewer pipe products when delivery to the purchaser is within the Southern Area shall be as shown in the following tables numbered 1 to 10, inclusive. Each item shown in the tables of list prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products:	Table numbers
Flue lining: Rectangular.....	7
Flue lining: Round.....	8
Flue Rings.....	9
Sewer Pipe: #1 and #2.....	1
Sewer Pipe Fittings:	
Curves.....	3
Elbows.....	3
Reducers.....	3
Saddles.....	3
Slants.....	3
Stoppers.....	3
Strainers.....	3
T's: single and double; standard and special.....	2
Traps:	
H. H.....	5
P & R.....	4
Vent.....	5
Vee Branches.....	3
Y Branches: single and double; standard and special.....	2
Stove Pipe.....	10

*Florida shall be divided into two areas to be known as North Florida and South Florida. The dividing line shall be a line running from the East Coast of Florida just south of the city limits of New Smyrna, north of Mount Dora and just south of Leesburg and Inverness to the West Coast.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS—continued

Stove Pipe Fittings.....	10
Anchor Bonnets.....	10
Chime Bottom.....	10
Double Openings.....	10
Drop Bottoms.....	10
Wall Coping: Double Slant.....	6
Wall Coping Fittings.....	6
Angles.....	6
Closed Ends or Starters.....	6
Corners.....	6
Tees.....	6

TABLE 1.—SEWER PIPE NO. 1 AND NO. 2

Inside diameter (inches)		Per foot	Discount number	
			No. 1 pipe	No. 2 pipe
4.....	2 ft. long.....	\$0.20	1	3
6.....	2 ft. and 2½ ft. long.....	.30	1	3
8.....	2½ ft. and 3 ft. long.....	.50	1	3
10.....	2½ ft. and 3 ft. long.....	.70	1	3
12.....	2½ ft. and 3 ft. long.....	.90	1	3
15.....	2½ ft. and 3 ft. long.....	1.25	2	4
18.....	2½ ft. and 3 ft. long.....	1.70	2	4
21.....	2½ ft. and 3 ft. long.....	2.50	2	4
24.....	2½ ft. and 3 ft. long.....	3.25	2	4

TABLE 3.—SEWER PIPE FITTINGS: CURVES AND ELBOWS, VEE BRANCHES, SADDLES AND SLANTS, INCREASERS AND REDUCERS, STOPPERS, AND STRAINERS

Inside diameter (inches)	Curves, each	Elbows, each	Vee branches, each	Saddles and slants, each	Increasers and reducers, each	Stoppers, each	Strainers, each	Discount number
4.....	\$0.90	\$0.90	\$2.00	.....	.....	\$0.10	.....	1
6.....	1.35	1.35	3.00	\$1.20	\$1.20	.15	.25	1
8.....	2.50	2.50	5.00	2.00	2.00	.20	.30	1
10.....	3.50	3.50	7.00	2.80	2.80	.40	.60	1
12.....	4.50	4.50	9.00	3.60	3.60	.70	1.05	1
15.....	5.00	10.00	12.50	5.00	5.00	1.00	.....	2
18.....	6.80	13.60	17.00	6.80	6.80	1.75	.....	2
21.....	10.00	20.00	25.00	10.00	10.00	2.75	.....	2
24.....	13.00	26.00	32.50	13.00	13.00	4.00	.....	2

TABLE 4.—SEWER PIPE FITTINGS: R AND P TRAPS

Inside diameter (inches)	R traps and P traps, each	Discount number
4.....	\$2.00	1
6.....	3.50	1
8.....	6.00	1

TABLE 5.—SEWER PIPE FITTINGS: TRAPS, H. H. AND VENT

Inside diameter (inches)	H. H. and vent	Discount number
4x4.....	Each \$2.00	1
6x4.....	3.50	1
6x6.....	3.50	1
8x6.....	6.00	1

TABLE 6.—WALL COPING AND FITTINGS: DOUBLE SLANT

Width (inches)	Straight coping	Corners	Angles	Closed ends	Tees	Discount number
9.....	Per foot \$0.22	Each \$0.88	Each \$0.88	Each \$0.88	Each \$1.10	7
13.....	.32	1.28	1.28	1.28	1.60	7
18.....	.64	2.56	2.56	2.56	3.20	7

TABLE 2.—SEWER PIPE FITTINGS: Y AND T BRANCHES, 1, 2 FT., 2½ FT., AND 3 FT. LENGTHS

Inside diameter (inches)	1 foot lengths, each	2½ foot lengths, each	3 foot lengths, each	Discount number
4.....	\$0.90	.....	.....	1
6.....	1.35	\$1.50	.....	1
8.....	.....	2.50	\$2.75	1
10.....	.....	3.50	3.85	1
12.....	.....	4.50	4.95	1
15.....	With inlet 12" and smaller.....	6.25	6.88	2
18.....	do.....	8.50	9.35	2
21.....	do.....	12.50	13.75	2
24.....	do.....	16.25	17.88	2

1 T's and Y's, 2½ ft. long, with inlet larger than 12", each at price of 7½ feet of pipe of same diameter; T's and Y's, 3 ft. long, with inlet larger than 12", each at price of 8 feet of pipe of same diameter; double T's and Y's, 50% more than single T's and Y's of the same diameter of pipe and inlet.

TABLE 10.—STOVE PIPE AND FITTINGS

Inside diameter (inches)	Socket pipe	Drop bottom, double opening	Chime bottom	Anchor bonnets	Discount number
6.....	Per foot \$0.40	Each \$2.40	Each \$1.60	Each \$2.25	6
7.....	.50	3.00	2.00	2.75	6
8.....	.60	3.60	2.40	3.30	6

SEC. 6.3 *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable discount for any item for delivery in any geographical zone in the Southern Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point occurs, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount number	North Carolina	South Carolina, Georgia, Alabama	Tennessee	North Florida, Mississippi, Louisiana (east of Mississippi River)	South Florida
1.....	47	45	46	45	40
2.....	40	40	40	35	25
3.....	49	47	48	47	42
4.....	42	42	42	37	27
5.....	47	45	45	45	40
6.....	47	45	45	45	40
7.....	32	30	30	30	25

SEC. 6.4 *Maximum prices.* Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in tables 1 to 10, inclusive, the discounts as determined in section 6.3 hereof in accordance with the following rules:

(a) The maximum f. o. b. factory prices, full freight allowed, for straight or mixed carload shipments of sewer pipe products delivered by rail to points located on standard gauge railroads within any geographical zone in the Southern Area, shall be determined by applying the appropriate discounts to the list prices contained in section 6.2.

(b) The maximum prices for full truck load quantities of sewer pipe products delivered by motor carrier, full freight allowed, to a point within any geographical zone shall be determined by applying a discount two points shorter to the list prices contained in section 6.2 than the discount which would have been applicable had the shipment been a carload shipment by rail.

ARTICLE VII.—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE EAST CENTRAL AREA

SEC. 7.1 *Application.* The provisions of this article shall apply to sales of

TABLE 7.—FLUE LINING: RECTANGULAR

Outside dimensions (inches)	Per foot	Discount number
4½ x 8½.....	\$0.30	5
4½ x 13.....	.45	5
8½ x 8½.....	.45	5
8½ x 13.....	.65	5
8½ x 18.....	.90	5
13 x 13.....	.85	5
13 x 18.....	1.20	5
18 x 18.....	2.00	5
20 x 20.....	2.50	5
24 x 24.....	3.50	5

TABLE 8.—FLUE LINING: ROUND

Inside diameter (inches)	Per foot	Discount number
6.....	\$0.30	5
8.....	.50	5
10.....	.70	5
12.....	.90	5
15.....	1.25	2
18.....	1.70	2
21.....	2.50	2
24.....	3.25	2

TABLE 9.—FLUE LINING: THIMBLES OR RINGS

Inside diameter (inches)	4½ in. long	6 in. long	9 in. long	12 in. long	Discount number
6.....	Each \$0.25	Each \$0.35	Each \$0.45	Each \$0.50	5
7.....	.30	.40	.50	.60	5
8.....	.35	.45	.60	.70	5
10.....	.40	.50	.65	.75	5
12.....	.55	.75	.75	1.00	5

sewer pipe products when delivery to the purchaser is within the East Central area which is hereby defined as zones 1, 2, and 5 in the state of Illinois. Zone 1 comprises all points on and east of Third Principal Meridian south of Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola to the Indiana State Line; zone No. 2 covers all points on and north of the Baltimore and Ohio Railroad (Chicago, Illinois and Western Railroad) extending through Decatur and Tuscola, to the Indiana State Line, and east of Third Principal Meridian from point of intersection with the Baltimore and Ohio Railroad west of Decatur north to point of intersection with the Illinois Central Railroad near Mendota, on and east of the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, excepting all of Lake, Cook, Kane, Du Page and Will counties; zone No. 5 includes all of Lake, Cook, Kane, Du Page and Will counties. The East Central area shall also consist of zones 1, 2, and 5 in the State of Wisconsin, zone 1 commencing south of a line drawn from Foscoro on Lake Michigan west along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, including the southeast corner of Shawano County, and east of a line running north and south along the western boundary of Green, Dane, Sauk, Janesau, and Wood counties, excepting the counties of Kenosha, Racine, and Milwaukee; zone No. 2 starting north of a line drawn from Foscoro on Lake Michigan along the northern boundary of Kewaunee, Brown, Waupaca, Portage and Wood counties, and through the southeast corner of Shawano County and east of a line drawn north and south along the western boundary of Marathon, Lincoln, Oneida, and Iron counties; zone No. 5 consisting of Kenosha, Racine and Milwaukee Counties; Upper Peninsula of Michigan, the entire State of Indiana, all of the State of Kentucky, except places in Campbell and Kenton counties and points located on the Chesapeake and Ohio Railway from Covington to Catlettsburg, inclusive, and all points on the Big Sandy Division of the Chesapeake and Ohio Railroad.

SEC. 7.2 List prices. The list prices of sewer pipe products when delivery to the purchaser is within the East Central Area shall be as shown in the following tables numbered 1 to 19, inclusive. Each item shown in the tables of list prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of Products	Table Nos.
Flue lining: Rectangular or square	16
Flue Lining: Round	17
Flue Rings	18
Sewer Pipe: #1 single strength 3' to 24' inclusive	1

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS—Continued.

Description of Products	Table Nos.
Sewer Pipe: #1 double strength 15' to 24' inclusive	2
Sewer Pipe: #2 double strength 3' to 24' inclusive	3
Sewer Pipe: #2 double strength 15' to 24' inclusive	4
Sewer Pipe Fittings:	
Curves	6
Elbows	6
Reducers	6
Saddles	6
Slants	6
Stoppers	6
Strainers	6
T's; single and double; standard and special	5
Traps:	
Catch basin	13
Half	12
H. H.	8
Double H. H.	9
Center H. H.	10
P & R	7
S	11
Vee Branches	6
Y Branches; single and double; standard and special	5
Stove Pipe	19
Stove Pipe Fittings:	
Anchor Bonnets	19
Bird cage wind guards	19
Bottoms	19
Chimney Bases	19
Double Openings	19
Drop bottoms	19
Keg bonnets	19
Mandary tops	19
O. G. Bonnets	19
Single openings	19
Wall coping:	
Camel back	14
Double slant	14
New style	14
Single slant	15
Wall coping fittings:	
Angles	14 and 15
Closed ends or starters	14 and 15
Corners	14 and 15
Tees	14 and 15

TABLE 1—SEWER PIPE: NO. 1 SINGLE STRENGTH

Inside diameter (inches)	Per foot	Discount number
3	\$0.30	1
4	.30	1
5	.45	1
6	.45	1
8	.70	1
9	1.05	1
10	1.05	1
12	1.35	1
15	1.80	1
18	2.50	1
20	3.00	1
21	3.50	1
22	4.00	1
24	4.50	1

TABLE 2.—SEWER PIPE: NO. 1 DOUBLE STRENGTH

Inside diameter (inches)	Per foot	Discount number
15	\$1.80	2
18	2.50	3
20	3.00	3
21	3.50	3
22	4.00	3
24	4.50	3

TABLE 3—SEWER PIPE: NO. 2 SINGLE STRENGTH

Inside diameter (inches)	Per foot	Discount number
3	\$0.30	4
4	.30	4
5	.45	4
6	.45	4
8	.70	5
9	1.05	5
10	1.05	5
12	1.35	5
15	1.80	5
18	2.50	5
20	3.00	5
21	3.50	5
22	4.00	5
24	4.50	5

TABLE 4.—SEWER PIPE: NO. 2 DOUBLE STRENGTH

Inside diameter (inches)	Per foot	Discount number
15	\$1.80	6
18	2.50	7
20	3.00	7
21	3.50	7
22	4.00	7
24	4.50	7

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL; Y AND T BRANCHES; SINGLE AND DOUBLE

Size (inches)	Y's and T's		Double Y's and T's		Discount number
	2 ft.	3 ft.	2 ft.	3 ft.	
	Each	Each	Each	Each	
3 x 3	\$1.20	2.25	\$2.40	4.50	1
4 x 3	1.20	2.25	2.40	4.50	1
4 x 4	1.20	2.25	2.40	4.50	1
5 x 3	2.25	3.60	3.60	6.30	1
5 x 4	1.80	2.25	2.25	4.50	1
5 x 5	1.80	3.60	3.60	6.30	1
6 x 3	2.25	3.60	3.60	6.30	1
6 x 4	1.80	\$2.25	2.25	\$2.70	1
6 x 5	1.80	2.25	2.25	2.70	1
6 x 6	1.80	2.25	2.25	2.70	1
8 x 3	3.50	4.20	5.60	6.30	1
8 x 4	2.80	3.50	5.60	6.30	1
8 x 5	2.80	3.50	5.60	6.30	1
8 x 6	2.80	3.50	5.60	6.30	1
8 x 8	3.50	4.20	5.60	6.30	1
9 x 4	4.20	5.25	8.40	9.45	1
9 x 5	4.20	5.25	8.40	9.45	1
9 x 6	4.20	5.25	8.40	9.45	1
9 x 8	4.20	5.25	8.40	9.45	1
9 x 9	5.25	6.30	8.40	9.45	1
10 x 4	4.20	5.25	8.40	9.45	1
10 x 5	4.20	5.25	8.40	9.45	1
10 x 6	4.20	5.25	8.40	9.45	1
10 x 8	4.20	5.25	8.40	9.45	1
10 x 10	5.25	6.30	8.40	9.45	1
12 x 4	5.40	6.75	10.80	12.15	1
12 x 5	5.40	6.75	10.80	12.15	1
12 x 6	5.40	6.75	10.80	12.15	1
12 x 8	5.40	6.75	10.80	12.15	1
12 x 9	6.75	8.10	10.80	12.15	1
12 x 10	6.75	8.10	10.80	12.15	1
12 x 12	6.75	8.10	10.80	12.15	1
15 x 4	7.20	9.00	14.40	16.20	1
15 x 5	7.20	9.00	14.40	16.20	1
15 x 6	7.20	9.00	14.40	16.20	1
15 x 8	7.20	9.00	14.40	16.20	1
15 x 9	7.20	9.00	14.40	16.20	1
15 x 10	7.20	9.00	14.40	16.20	1
15 x 12	9.00	10.80	14.40	16.20	1
15 x 15	10.80	12.15	16.20	18.00	1
18 x 4	10.00	12.50	20.00	22.50	1
18 x 5	10.00	12.50	20.00	22.50	1
18 x 6	10.00	12.50	20.00	22.50	1
18 x 8	10.00	12.50	20.00	22.50	1
18 x 9	10.00	12.50	20.00	22.50	1
18 x 10	10.00	12.50	20.00	22.50	1
18 x 12	10.00	12.50	20.00	22.50	1
18 x 15	12.50	15.00	22.50	25.00	1
20 x 4	12.00	15.00	24.00	27.00	1

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL; Y AND T BRANCHES; SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's		Double Y's and T's		Discount number
	2 ft.	3 ft.	2 ft.	3 ft.	
20 x 5.....	Each \$12.00	Each \$15.00	Each \$24.00	Each \$27.00	1
20 x 6.....	12.00	15.00	24.00	27.00	1
20 x 8.....	12.00	15.00	24.00	27.00	1
20 x 10.....	12.00	15.00	24.00	27.00	1
20 x 12.....	12.00	15.00	24.00	27.00	1
20 x 15.....	27.00	30.00			1
20 x 18.....	27.00				1
20 x 20.....	27.00				1
21 x 4.....	14.00	17.50	28.00	31.50	1
21 x 5.....	14.00	17.50	28.00	31.50	1
21 x 6.....	14.00	17.50	28.00	31.50	1
21 x 8.....	14.00	17.50	28.00	31.50	1
21 x 10.....	14.00	17.50	28.00	31.50	1
21 x 12.....	14.00	17.50	28.00	31.50	1
21 x 15.....	31.50	35.00			1
21 x 18.....	31.50				1
21 x 20.....	31.50				1
21 x 21.....	31.50				1
22 x 4.....	16.00	20.00	32.00	36.00	1
22 x 5.....	16.00	20.00	32.00	36.00	1

TABLE 5.—SEWER PIPE FITTINGS: STANDARD AND SPECIAL; Y AND T BRANCHES; SINGLE AND DOUBLE—Continued

Size (inches)	Y's and T's		Double Y's and T's		Discount number
	2 ft.	3 ft.	2 ft.	3 ft.	
22 x 6.....	Each \$16.00	Each \$20.00	Each \$32.00	Each \$36.00	1
22 x 8.....	16.00	20.00	32.00	36.00	1
22 x 10.....	16.00	20.00	32.00	36.00	1
22 x 12.....	16.00	20.00	32.00	36.00	1
22 x 15.....	36.00	40.00			1
22 x 18.....	36.00				1
22 x 20.....	36.00				1
22 x 21.....	36.00				1
22 x 22.....	36.00				1
24 x 4.....	18.00	22.50	36.00	40.50	1
24 x 5.....	18.00	22.50	36.00	40.50	1
24 x 6.....	18.00	22.50	36.00	40.50	1
24 x 8.....	18.00	22.50	36.00	40.50	1
24 x 10.....	18.00	22.50	36.00	40.50	1
24 x 12.....	18.00	22.50	36.00	40.50	1
24 x 15.....	40.50	45.00			1
24 x 18.....	40.50	45.00			1
24 x 20.....	40.50				1
24 x 21.....	40.50				1

TABLE 6.—SEWER PIPE FITTINGS: VEE BRANCHES, CURVES AND ELBOWS, SLANTS, INCREASERS AND DECREASERS, SADDLES, STOPPERS, AND STRAINERS

Inside diameter (inches)	Ve e branches	Curves	Elbows	Slants, 2-foot or less	Increases and reducers	Saddles	Stoppers	Strainers	Discount number
8.....	Each \$3.00	Each \$1.20	Each \$1.20	Each \$1.80	Each 1.20	Each \$1.20	Each \$0.15	Each \$0.30	1
4.....	3.00	1.20	1.20	1.80	1.20	1.20	.15	.30	1
5.....	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	1
6.....	4.50	1.80	1.80	1.80	1.80	1.80	.22½	.45	1
8.....	7.00	2.80	2.80	2.80	2.80	2.80	.35	.70	1
9.....	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	1
10.....	10.50	4.20	4.20	4.20	4.20	4.20	.52½	1.05	1
12.....	13.50	5.40	5.40	5.40	5.40	5.40	.67½	1.35	1
15.....	18.00	7.20	14.40	7.20	10.80	15.00	7.50		1
18.....	25.00	10.00	20.00	15.00	18.00	18.00			1
20.....	30.00	12.00	24.00	18.00	21.00	21.00			1
21.....	35.00	14.00	28.00	21.00	24.00	24.00			1
22.....	40.00	16.00	32.00	24.00	27.00	27.00			1
24.....	45.00	18.00	36.00	27.00					1

NOTE.—Curves and elbows in sizes 10' and 12', when furnished Moulded, take five times the price of one foot of Pipe of same size.

NOTE.—Curves and elbows 3' to 8', inclusive, when furnished in 24' lengths, take six times the price of one foot of Pipe of the same size.

TABLE 7.—SEWER PIPE FITTINGS: P AND R TRAPS

Size (inches)	Each	Discount number
3.....	\$2.40	2
4.....	2.40	2
5.....	3.60	2
6.....	3.60	2
8.....	5.60	1
9.....	15.75	1
10.....	15.75	1
12.....	27.00	1

TABLE 8.—SEWER PIPE FITTINGS: H. H. TRAPS

Size (inches)	Each	Discount number
3 x 3.....	\$2.40	2
4 x 4.....	2.40	2
5 x 4.....	3.60	2
5 x 5.....	3.60	2
6 x 4.....	3.60	2
6 x 5.....	3.60	2
6 x 6.....	3.60	2
8 x 5.....	5.60	2
8 x 6.....	5.60	2
10 x 3.....	15.75	2
10 x 4.....	15.75	2
10 x 5.....	15.75	1
10 x 6.....	15.75	1
10 x 8.....	15.75	1
10 x 10.....	15.75	1
12 x 3.....	27.00	1
12 x 4.....	27.00	1
12 x 5.....	27.00	1
12 x 6.....	27.00	1
12 x 8.....	27.00	1
12 x 10.....	27.00	1
12 x 12.....	27.00	1

H. H. Traps not listed above take ten times the list price of one foot of Pipe of the same size.

TABLE 9.—SEWER PIPE FITTINGS: DOUBLE H. H. TRAPS

Size (inches)	Each	Discount number
3.....	\$3.60	1
4.....	3.60	1
5.....	5.40	1
6.....	5.40	1
8.....	8.40	1

TABLE 10.—SEWER PIPE FITTINGS: CENTER H. H. TRAPS

Size (inches)	Each	Discount number
4 x 4.....	\$2.40	1
5 x 4.....	3.60	1
5 x 5.....	3.60	1
6 x 4.....	3.60	1
6 x 5.....	3.60	1
6 x 6.....	4.50	1
8 x 3.....	7.00	1
8 x 4.....	7.00	1
8 x 5.....	7.00	1
8 x 6.....	7.00	1
8 x 8.....	7.00	1

Center H. H. Traps not listed above take ten times the list price of one foot of pipe of same size.

TABLE 11.—SEWER PIPE FITTINGS: S TRAPS

Size (inches)	Each	Discount number
3.....	\$3.00	1
4.....	3.00	1
5.....	4.50	1
6.....	4.50	1
8.....	7.00	1

TABLE 12.—SEWER PIPE FITTINGS: HALF TRAPS

Size (inches)	Each	Discount number
4	\$2.40	1
5	3.60	1
6	3.60	1
8	5.60	1
9	10.50	1
10	10.50	1
12	20.25	1

TABLE 13.—SEWER PIPE FITTINGS: CATCH BASIN TRAPS

Size (inches)	Each	Discount number
6 x 4	\$2.25	1

TABLE 14.—WALL COPING AND FITTINGS, DOUBLE SLANT, CAMEL BACK AND NEW STYLE

	Sizes (feet)					Discount number
	9	13	18	Double slant, camel back	New style	
Straight coping, per foot	\$0.40	\$0.60	\$1.20	8	9	9
Corners, each	1.20	1.80	3.60	8	9	9
Closed ends or starters, each	1.20	1.80	3.60	8	9	9
Angles, each	2.00	3.00	6.00	8	9	9
Tees, each	3.20	4.80	9.60	8	9	9

TABLE 15.—WALL COPING AND FITTINGS: SINGLE SLANT COPING

	Sizes			Discount number
	9"	13"	18"	
Straight coping, per foot	\$0.80	\$1.20	\$2.40	8
Corners, each	2.40	3.60	7.20	8
Closed ends or starters, each	2.40	3.60	7.20	8
Angles, each	4.00	6.00	12.00	8
Tees, each	6.40	9.60	19.20	8

TABLE 16.—FLUE LINING: SQUARE OR RECTANGULAR

Size (inches)	Price per foot	Discount number
4½ x 8½	\$0.45	8
4½ x 13	.60	8
7½ x 7½	.45	8
8½ x 8½	.60	8
8½ x 13	.90	8
8½ x 18	1.35	8
13 x 13	1.15	8
13 x 18	1.75	8
18 x 18	2.25	8
20 x 20	3.25	10
20 x 24	3.75	10
24 x 24	4.25	10

TABLE 17.—FLUE LINING: ROUND

Inside measure (inches)	Price, per foot	Discount number
6	\$0.45	11
7	.70	11
8	.70	11
10	1.05	11
12	1.35	11
15	1.80	11
18	2.50	11
20	3.00	11
21	3.50	11
22	4.00	11
24	4.50	11
27	6.50	12
30	7.20	12
33	9.00	13
36	10.25	13

TABLE 18.—FLUE LINING: FLUE RINGS WITH OR WITHOUT FLANGE

Inside diameter (inches)	List price each	Lengths (inches)	Discount number
5	\$0.75	4½, 6, 9, 12	8
6	.75	4½, 6, 9, 12	8
7	1.05	4½, 6, 9, 12	8
8	1.05	4½, 6, 9, 12	8
9	1.25	4½, 6, 9, 12	8
10	1.25	4½, 6, 9, 12	8
12	1.50	4½, 6, 9, 12	8

TABLE 19.—STOVE PIPE AND FITTINGS

Inside diameter (inches)	Stove pipe	Single openings	Double openings	Bottoms 2 feet long	Drop bottoms	Mandatory tops, keg and O. G. bonnets, and bird-cage wind-guards	Anchor bonnets and chimney bases	Discount number
	Per foot	Each 1	Each 1	Each	Each	Each	Each	
5	\$0.45	\$1.80	\$2.25	\$1.80	\$2.70			8
6	.45	1.80	2.25	1.80	2.70	\$2.70	\$2.25	8
7	.70	2.80	3.50	2.80	4.20	4.20	3.50	8
8	.70	2.80	3.50	2.80	4.20	4.90	3.50	8
9	1.05	4.20		4.20				8
10	1.05	4.20		4.20				8
12	1.35	5.40		5.40				8
15	1.80	7.20		7.20				8
18	2.50	10.00		10.00				8
20	3.00	12.00		12.00				8
24	4.50	18.00		18.00				8

¹ Single or double openings supplied with or without closed end: Single or double openings, with closed end, take 50% additional to list price.

SEC. 7.3 Percentage discounts. The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item for delivery in any geographical zone in the East Central Area can be determined by the following procedure: select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point falls, the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount number	Illinois, zones 1, 2, and 5	Wisconsin, zones 1 and 5	Wisconsin, zone 2	Michigan, Upper Peninsula	Indiana	Kentucky
1	64	62	60	60	67	67
2	57	55	53	53	64	62
3	57	55	53	53	62	62
4	67	65	63	63	70	68
5	67	65	63	63	70	70
6	60	58	56	56	69	65
7	60	58	56	56	67	65
8	64	62	60	60	67	65
9	58	56	54	54	61	58
10	54	52	50	50	56	58
11	64	62	60	60	67	65
12	51	49	47	47	56	58
13	46	44	42	42	56	58

SEC. 7.4 Maximum prices. (a) Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in tables 1 to 19, inclusive, the discounts as determined in section 7.3

hereof in accordance with the following rules:

(1) The maximum f. o. b. factory prices for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed, to points located on standard gauge railroads within any geographical zone in the East Central area, shall be determined by applying the appropriate discounts to the list prices contained in section 7.2.

(2) The maximum prices for full truck load quantities of sewer pipe products delivered by motor carrier, full freight allowed, to a point within any geographical

cal zone shall be determined by applying a discount two points shorter to the list prices contained in section 7.2 than the discount which would have been applicable had the shipment been a carload shipment by rail.

(b) The maximum f. o. b. factory prices per lineal foot for Nos. 1 and 2, single or double strength, sewer pipe 27"-36" inclusive, delivered by rail, full freight allowed, in straight or mixed carload quantities to a point designated by the purchaser within any geographical zone set forth below are as follows:

Large sewer pipe (inside diameter, inches)	Illinois, zones 1, 2, and 5		Wisconsin, zones 1, 2, and 5		Upper Peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27 #1, per foot	\$2.80	\$3.15	\$2.90	\$3.25	\$2.90	\$3.25		\$3.12		
30 #1, per foot	3.10	3.45	3.25	3.60	3.25	3.60		3.45		
33 #1, per foot		4.80		4.95		4.95		4.77		
36 #1, per foot	4.92	5.45	5.12	5.65	5.12	5.65		5.43		
27 #2, per foot	2.60	2.85	2.75	2.95	2.75	2.95	\$2.34	2.34		
30 #2, per foot	2.90	3.15	3.00	3.30	3.00	3.30	2.60	2.60		
33 #2, per foot		4.40		4.35		4.25	3.69	3.69		
36 #2, per foot	4.60	5.05	4.80	5.25	4.80	5.25	4.20	4.20		

(c) The maximum prices per lineal foot for Nos. 1 and 2, single or double strength sewer pipe 27"-36" inclusive, delivered by motor carrier to points designated by the purchaser within any geographical zone set forth below are as follows:

Large sewer pipe (inside diameter, inches)	Illinois, zones 1, 2, and 5		Wisconsin, zones 1, 2, and 5		Upper Peninsula of Michigan		Indiana		Kentucky	
	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength	Single strength	Double strength
27 #1, per foot	\$2.95	\$3.30	\$3.15	\$3.40	\$3.15	\$3.40		\$3.25		
30 #1, per foot	3.25	3.65	3.40	3.75	3.40	3.75		3.60		
33 #1, per foot		5.00		5.15		5.15		4.95		
36 #1, per foot	5.12	5.65	5.32	5.85	5.32	5.85		5.64		
27 #2, per foot	2.75	3.00	2.90	3.10	2.90	3.10	\$2.47	2.47		
30 #2, per foot	3.05	3.35	3.15	3.45	3.15	3.45	2.74	2.74		
33 #2, per foot		4.60		4.75		4.75	3.87	3.87		
36 #2, per foot	4.80	5.25	5.00	5.45	5.00	5.45	4.41	4.41		

ARTICLE VIII—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE WEST CENTRAL AREA

SEC. 8.1 *Application.* The provisions of this article shall apply to sales of sewer pipe products when delivery to the purchaser is within the West Central Area which is hereby defined as the entire states of Arkansas, Kansas, Nebraska, Oklahoma, Missouri, Iowa, North Dakota, South Dakota, and Minnesota; and Zones 3 and 4 in Wisconsin and Zones 3 and 4 in Illinois.

Zones 3 and 4 in the state of Illinois are described as follows:

Illinois, Zone No. 3: West of the Third Principal Meridian, and south of a line following the Chicago, Illinois and Western Railroad between Decatur and Springfield and the Baltimore and Ohio Railroad, Springfield to Beardstown; thence directly west to the town of Mount Sterling, then following the lines of the Wabash Railroad and the Chicago, Burlington, and Quincy Railroad to Quincy.

Illinois, Zone No. 4: West of the Third Principal Meridian, from point intersecting with the Chicago, Illinois and Western Railroad

west of Decatur, north to a point intersecting with the Illinois Central Railroad near Mendota, following the Illinois Central Railroad through Dixon and Freeport to the Wisconsin State Line, and on and north of a line following the Chicago, Illinois and Western Railroad from the Third Principal Meridian to Springfield, thence along the Baltimore and Ohio Railroad and Springfield to Beardstown, thence directly west to Mount Sterling, and then following the lines of the Wabash Railroad and the Chicago, Burlington and Quincy Railroad from Mount Sterling to Quincy.

Wisconsin Zones 3 and 4 are described as follows:

Wisconsin, Zone 3: West of a line drawn north and south along the eastern boundaries of the counties of Lafayette, Iowa, Richland, Vernon, Monroe, Jackson, Clark and Taylor and south of a line drawn east and west along the northern boundary of Taylor, Chippewa, Dunn and St. Croix counties.

Wisconsin, Zone No. 4: West of a line drawn north and south along the eastern boundaries of Price and Ashland Counties, and north of a line drawn east and west along the northern boundary of Taylor, Chippewa, Dunn, and St. Croix Counties, excluding the city of Superior.

The State of Iowa is divided into two zones, described as follows:

Iowa, Zone No. 1: Towns on West Bank of Mississippi River, as follows:

Bellevue	Lansing
Bettendorf	Marquette
Burlington	Montpelier
Clinton	Montrose
Camanche	McGregor
Davenport	Muscatine
Dubuque	New Albin
Fort Madison	Princeston
Gallard	Sabula
Guttenburg	Sandusky
Keokuk	West Burlington
LeClaire	

Iowa, Zone No. 2: The entire State of Iowa except Zone No. 1.

The State of South Dakota is divided into two zones, described as follows:

South Dakota, Zone No. 1: The southeast corner of the state lying on and east of the Chicago, Milwaukee, St. Paul and Pacific Railroad beginning at the South Dakota-Minnesota line in Moody County west to Flandreau, south through Sioux Falls, Canton and Elk Point, South Dakota.

South Dakota, Zone No. 2: The entire state with the exception of the Southeast corner, lying on and east of the Chicago, Milwaukee, St. Paul and Pacific Railroad. Beginning at the South Dakota-Minnesota line in Moody County, west to Flandreau, south through Sioux Falls, Canton and Elk Point, South Dakota.

The State of Minnesota is divided into four zones, described as follows, with the exception of the city of Duluth, which is included with the city of Superior, Wisconsin, as a separate zone which is defined herein as Zone No. 5.

Minnesota Zone No. 1: All territory within the following boundaries: Commencing at intersection of the Iowa and Wisconsin State Boundary; thence north along the Wisconsin-Minnesota State line to the town of Hastings, Minnesota; thence due west to town of Shakopee; thence southwest along the western boundaries of Scott and LeSueur Counties to town of Mankato; thence southwest to town of Lake Crystal, and directly south along the western limits of the towns of Lake Crystal, Amboy, Winnebago, and Blue Earth to the Iowa-Minnesota State line; thence east along the Iowa-Minnesota State line to the place of starting.

Minnesota Zone No. 2: All territory within the following limits: Starting at western boundary of town of Mankato; thence west to the South Dakota State line, including the towns of New Ulm, Sleepy Eye, Springfield, Lamberton, Tracy, and Balaton; thence south along the Minnesota-South Dakota State line to the Iowa State line; thence east along the Iowa-Minnesota State line to a point south of the town of Blue Earth; thence north along the western boundaries of the towns of Blue Earth, Winnebago, Amboy, and Lake Crystal to the place of starting at Mankato.

Minnesota Zone No. 3: All that part of the state except the city of Duluth and Zones 1, 2, and 4.

Minnesota Zone No. 4: Minneapolis and St. Paul, and suburbs, viz: White Bear, Columbia Heights, Robbinsdale, Hopkins, Excelsior, Wayzata, St. Louis Park, West St. Paul, South St. Paul, and North St. Paul, Mound and Richfield.

Minnesota Zone No. 5: The cities of Duluth, Minnesota, and Superior, Wisconsin, shall be a zone unto themselves.

SEC. 8.2 List prices. List prices of sewer pipe products when delivered to the purchaser in the West Central Area shall be as shown in the following tables numbered 1 to 14, inclusive. Each item shown in the tables of list prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products:	Table No.
Cistern tops.....	9
Flue Lining:	
Rectangular.....	11
Round.....	12
Flue rings and thimbles.....	14
Sewer Pipe:	
ASTM #1 and #2.....	1
Single strength #1 and #2.....	2
Channel or split pipe.....	8
Perforated.....	8
Sewer Pipe Fittings:	
Curves.....	4
Elbows.....	4
Increasers.....	4
Reducers.....	4
Saddles.....	4
Slants.....	4
Stoppers.....	4
Strainers.....	4
T's; single & double, Standard & special.....	3
Traps:	
H. H.....	7
P & R.....	6
Vent.....	7
Y Branches; single and double, standard and special.....	3
Slop hoppers and closet hoppers.....	5
Stove pipe.....	13
Stove pipe fittings:	
Anchor tops.....	13
Chime bottoms.....	13
Double openings.....	13
Drop bottoms.....	13
Single openings.....	13
Wall Coping: Double slant.....	10
Wall Coping fittings:	
Angles.....	10
Closed ends or starters.....	10
Corners.....	10
Tees.....	10

TABLE 1.—SEWER PIPE: ASTM SPECIFICATION 1 AND 2

Inside diameter (inches)	Per foot	Discount No.	
		No. 1 pipe	No. 2 pipe
4.....	\$0.25	1	3
6.....	.35	1	3
8.....	.50	1	3
10.....	.70	1	3
12.....	.90	1	3
15.....	1.50	1	3
18.....	2.10	1	3
21.....	2.80	1	3
24.....	3.60	1	3

TABLE 2.—SEWER PIPE: SINGLE STRENGTH NO. 1 AND NO. 2

Inside diameter (inches)	Per foot	Discount No.	
		No. 1 pipe	No. 2 pipe
15.....	\$1.50	2	4
18.....	2.10	2	4
21.....	2.80	2	4
24.....	3.60	2	4

TABLE 3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS Y AND T BRANCHES 1-2 FT., 2½ FT. AND 3 FT. LENGTHS

Inside diameter (inches)	2 Ft. lengths each	2½ Ft. lengths each	3 Ft. lengths each	Discount No.
4.....	\$1.00			1
6.....	1.40			1
8.....		\$2.25	\$2.50	1
10.....		3.15	3.50	1
12.....		4.05	4.50	1
15.....	With inlet 12" and smaller.	6.75	7.50	1
18.....	With inlet 12" and smaller.	9.45	10.50	1
21.....	With inlet 12" and smaller.	12.60	14.00	1
24.....	With inlet 12" and smaller.	16.20	18.00	1

1 T's and Y's, with inlets 15" and larger; 2½ Ft. long, each at price of 6¾ Ft. of pipe of same diameter; 3 Ft. long, each at price of 7½ Ft. of pipe of same diameter.
Double T's and Y's, with inlets 12" and smaller, 2 Ft. long, each at price of 6 Ft. of pipe of same diameter; 2½ Ft. long, each at price of 6½ Ft. of pipe of same diameter; 3 Ft. long, each at price of 7 Ft. of pipe of same diameter.
Double T's and Y's, with inlets 15" and larger, 2½ Ft. long, 10 times price of one Ft. of pipe of same diameter, 3 Ft. long, 10½ times 1 Ft. of pipe of the same diameter.

TABLE 4.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

[Curves and elbows, saddles and slants, increasers and reducers, stoppers and strainers]

Inside diameter (inches)	Curves ¼ (each)	Elbows and ¼ curves (each)	Saddles and slants (each)	Increasers and reducers (each)	Stoppers (each)	Strainers (each)	Discount number
4.....	\$1.00	\$1.00	\$0.50		\$0.06	\$0.09	1
6.....	1.40	1.40	.70	\$1.40	.08	.12	1
8.....	2.00	2.00	1.00	2.00	.25	.40	1
10.....	2.80	2.80	1.40	2.80	.35	.60	1
12.....	3.60	3.60	1.80	3.60	.45	.80	1
15.....	6.00	12.00	3.00	6.00	.75		1
18.....	8.40	16.80	4.20	8.40	1.05		1
21.....	11.20	22.40	5.60	11.20	1.40		1
24.....	14.40	28.80	7.20	14.40	1.80		1

TABLE 5.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS: SLOP HOPPERS: CLOSET HOPPERS

Spigot, inside diameter (inches)	Bowl, inside diameter (inches)	Slop & closet hoppers (each)	Discount No.
4 x 12		\$3.60	1
6 x 12		\$3.60	1

TABLE 6.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS: P AND R TRAPS

Inside diameter (inches)	P and R traps (each)	Discount number
4.....	\$2.50	1
6.....	3.50	1
8.....	6.00	1
10.....	8.40	1

TABLE 7.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS: H. H. AND VENT TRAPS

Inside diameter (inches)	H. H. and vent traps (each)	Discount number
4 x 4.....	\$2.50	1
6 x 4.....	3.50	1
6 x 6.....	3.50	1
8 x 6.....	6.00	1
10 x 6.....	8.40	1
12 x 6.....	10.80	1

TABLE 8.—SEWER PIPE: ASTM SPECIFICATIONS: CHANNEL, SPLIT, OR CONDUIT PIPE: PERFORATED PIPE

Inside diameter (inches)	Channel, split or conduit pipe ¼ circle (foot)	Perforated pipe (foot)	Discount number
4.....	\$0.16	\$0.50	1
6.....	.22	.70	1
8.....	.32	.90	1
10.....	.44	1.25	1
12.....	.56	1.50	1
15.....	.94	2.00	1
18.....	1.32	2.50	1
21.....	1.75	3.25	1
24.....	2.25	4.00	1

TABLE 9.—SEWER PIPE: ASTM SPECIFICATIONS CISTERN TOPS

Inside diameter (inches)	Length (feet)	Cistern tops (each)	Discount number
12.....	1, 1½ and 2.....	\$1.80	1
15.....	1, 1½ and 2.....	3.00	1
18.....	1, 1½ and 2.....	4.20	1
21.....	1, 1½ and 2.....	5.60	1
24.....	1, 1½ and 2.....	7.20	1

TABLE 10.—WALL COPING AND FITTINGS: DOUBLE SLANT AND NEW STYLE

Width (inches)	Straight coping (per foot)	Corners (each)	Angles (each)	Closed ends (each)	Tees (each)	Discount number	
						Double slant	New style
9	\$0.25	\$1.00	\$1.00	\$1.00	\$1.25	5	6
13	.35	1.40	1.40	1.40	1.75	5	6
18	.60	2.40	2.40	2.40	3.00	5	6

TABLE 11.—FLUE LININGS, RECTANGULAR

Outside dimensions (inches)	Per foot	Discount
4½ x 8½	\$0.30	7
8½ x 8½	.40	7
4½ x 13	.45	7
8½ x 13	.60	7
13 x 13	.75	7
8½ x 17½	.80	7
13 x 17½	1.00	7
17½ x 17½	1.30	7

TABLE 12.—FLUE LINING: ROUND

Inside diameter (inches)	Per foot	Discount number
6	\$0.35	1
8	.50	1
10	.70	1
12	.90	1
15	1.50	1
18	2.10	1
21	2.80	1
24	3.60	1

TABLE 13.—CHIMNEY PIPE FITTINGS

Inside diameter (inches)	Socket pipe per foot	Drop bottom (each)	Anchor top (each)	Chime bottom (each)	Single opening (each)	Double opening (each)	Discount number
6	\$0.35	\$2.80	\$2.80	\$1.40	\$1.40	\$2.80	1
8	.50	4.00	4.00	2.00	2.00	4.00	1

TABLE 14.—STOVE PIPE THIMBLES AND FLUE RINGS

Inside diameter (inches)	Flue rings and thimbles (each)	Lengths (inches)	Discount number
6	\$0.35	4½-6-9-12	1
8	.50	4½-6-9-12	1
10	.70	4½-6-9-12	1
12	.90	4½-6-9-12	1

CHART III

Discount number	Missouri	Illinois zones #3 and #4	Wisconsin zone #3	Wisconsin zone #4	Minnesota zone #1	Minnesota zone #2	Minnesota zone #4	Duluth and superior	Iowa zone #1	Iowa zone #2	South Dakota zone #1
1	47	50	47	45	45	43	45	41	50	45	43
2		55	52	50	50	48	50	46	55	50	48
3	52	55	52	50	50	48	50	46	55	50	48
4		60	57	55	55	53	55	51	60	55	53
5	35	35	32	30	30	28	35	31	35	32	28
6		29	26	24	25	23	30	26	30	27	23
7	42	42	37	35	35	33	40	36	42	37	33

SEC. 8.4 Maximum prices. (a) Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in Tables 1 to 13, inclusive, the discounts as determined in section 8.3

SEC. 8.3 Percentage discounts. The percentage discounts set forth in Charts I, II, and III below are so arranged that the applicable percentage discount for any item delivered in any geographical zone listed in such Charts of the West Central Area can be determined by the following procedure:

Select the discount number shown on the List Price Tables for the desired item. An identical number appears in the left-hand column of Charts I, II, and III hereof. After determining the proper geographical zone within which the destination point occurs the applicable percentage discount will be found at the junction of the vertical geographical column and the horizontal line at which the predetermined discount number appears.

CHART I

Discount number	Arkansas	Kansas	Nebraska	Oklahoma
1	57	59	57	59
3	62	64	62	64
5	45	45	42	45
6			37	
7	52	54	52	59

CHART II

Discount number	Minnesota zone #3	South Dakota zone #2	North Dakota
1	50	50	50
2	55	55	55
3	55	55	55
4	60	60	60
5	35	35	35
6	30	30	30
7	40	40	40

CHART IV

Large pipe A. S. T. M. specifications inside diameter (inches)	Invoice weight (per foot)	Arkansas	Kansas	Nebraska	Oklahoma
27 #1 per foot	245#	\$2.60	\$2.60	\$2.60	\$2.60
30 #1 per foot	300#	3.15	3.15	3.15	3.15
33 #1 per foot	355#	3.70	3.70	3.70	3.70
36 #1 per foot	395#	4.15	4.15	4.15	4.15
27 #2 per foot	245#	2.10	2.10	2.10	2.10
30 #2 per foot	300#	2.55	2.55	2.55	2.55
33 #2 per foot	355#	3.00	3.00	3.00	3.00
36 #2 per foot	395#	3.55	3.55	3.55	3.55

(c) The maximum f. o. b. factory price per lineal foot, for Nos. 1 and 2 sewer pipe, 27"-36" inclusive, A. S. T. M. specifications, delivered by rail in straight or mixed carload quantities within any geographical zone shown in Chart V shall be as set forth below plus actual freight charges computed at the minimum carload rate from Red Wing, Minnesota to destination on the basis of weights established in the invoice weight column of Chart V.

CHART V

Large pipe A. S. T. M. specifications inside diameter (inches)	Invoice weight (per foot)	Minnesota zone #3	South Dakota zone #2	North Dakota
27 #1 per foot.....	245#	\$3.25	\$3.25	\$3.25
30 #1 per foot.....	300#	3.60	3.60	3.60
33 #1 per foot.....	355#	4.95	4.95	4.95
36 #1 per foot.....	395#	5.65	5.65	5.65
27 #2 per foot.....	245#	2.95	2.95	2.95
30 #2 per foot.....	300#	3.30	3.30	3.30
33 #2 per foot.....	355#	4.55	4.55	4.55
36 #2 per foot.....	395#	5.25	5.25	5.25

CHART VI

Large pipe A. S. T. M. specifications inside diameter (inches)	Invoice weights (per foot)	Missouri and Illinois zones 3 and 4	Wisconsin zones 3 and 4	Minnesota zones 1, 2, 4	Duluth, Minnesota and Superior, Wisconsin	Iowa zones 1 and 2	South Dakota zone 1
27 #1 per foot.....	245#	\$3.15	\$3.25	\$3.25	\$3.25	\$2.60	\$3.25
30 #1 per foot.....	300#	3.45	3.60	3.60	3.60	3.20	3.60
33 #1 per foot.....	355#	4.80	4.95	4.95	4.95	4.10	4.95
36 #1 per foot.....	395#	5.45	5.65	5.65	5.65	4.60	5.65
27 #2 per foot.....	245#	2.85	2.95	2.95	2.95	2.10	2.95
30 #2 per foot.....	300#	3.15	3.30	3.30	3.30	2.60	3.30
33 #2 per foot.....	355#	4.40	4.55	4.55	4.55	3.40	4.55
36 #2 per foot.....	395#	5.05	5.25	5.25	5.25	3.80	5.25

*Add freight at Red Wing, Minnesota rate to the extent that such rates exceed 20¢ per cwt.

(2) The maximum prices per lineal foot for all shipments of Nos. 1 and 2 sewer pipe 27"-36" inclusive, A. S. T. M. specifications, delivered by motor carrier to points designated by the purchaser for the entire states of Missouri, Illinois, and Wisconsin may be charged which do not exceed such maximum prices established in Chart VI above for rail shipments plus 20¢ per lineal foot for all sizes except as provided in paragraph (e) hereof for the St. Louis Metropolitan District Area.

(e) Maximum prices for sewer pipe products picked up or delivered by truck in the St. Louis Metropolitan District.

(1) Maximum prices established in this section apply to sales of sewer pipe products picked up at a factory located in the St. Louis Metropolitan District or delivered to a purchaser by motor carrier within such District.

The St. Louis Metropolitan District is hereby defined as the City of St. Louis, St. Louis County, and the City of St. Charles, all in the State of Missouri, and the Area or Territory extending East from the Mississippi River between Hop Hollow and Clifton Terrace, Illinois on the Illinois Terminal Railroad to Bethalto on the New York Central Railroad, then in a southerly direction to Edwardsville, thence through Glen Carbon, Collinsville, O'Fallon and Belleville, Illinois, thence in a westerly direction through Branch Mine, Stookey, Imbs, Tillman, Stolle, and East Carondelet, Illinois to the Mississippi River. Whenever the line runs through a town, it is to be considered as included in the Illinois portion of the St. Louis Metropolitan Area.

Any other prices established in this article for sales delivered by motor carrier shall not apply when such sales are made for delivery within the St. Louis Metropolitan District.

(d) (1) The maximum f. o. b. factory price per lineal foot for Nos. 1 and 2 sewer pipe 27"-36" inclusive, A. S. T. M. specifications, delivered by rail, full freight allowed, in straight or mixed carload quantities to a destination within any geographical zone set forth below shall be as follows:

(2) The maximum prices for sewer pipe products sold f. o. b. factory on a pick-up basis to a "dealer," that is, a person maintaining a stock of sewer pipe products for the purpose of resale, are the prices set forth in Tables A1 to A12, inclusive.

(3) The maximum prices for sewer pipe products in full truck load quantities sold f. o. b. factory and/or delivered to a purchaser classified as follows: Municipal sewer and paving contractor, municipality, subdivision, State and Federal Government, or contractors thereof, are the prices set forth in Tables B1 to B7, inclusive.

(4) The maximum prices for sewer pipe products in less than full truck load quantities sold f. o. b. factory and/or delivered to a consumer, plumber, bricklayer, general building contractor, or any other person are the prices set forth in Tables C1 to C11, inclusive.

(5) Any manufacturer not located in the St. Louis Metropolitan District selling to any person classified in paragraphs (3) and (4), above, may not exceed the maximum prices established herein for the St. Louis Metropolitan District manufacturers.

TABLE A-1—SEWER PIPE: ASTM SPECIFICATIONS No. 1 AND No. 2

Inside diameter (inches)	No. 1 straight pipe (per ft.)	No. 2 straight pipe (per ft.)
3" and 4" - 2' - 2 1/2' length.....	\$0.11	-----
6" - 2' - 2 1/2' length.....	.154	-----
8" - 3' length.....	.24	\$0.215
10" - 3' length.....	.336	.301
12" - 3' length.....	.432	.387
15" - 3' length.....	.72	.645
18" - 3' length.....	1.008	.903
21" - 3' length.....	1.344	1.204
24" - 3' length.....	1.728	1.648

TABLE A-2.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	1/4 curve (each)	1/2 curve (each)	3/4 curve (each)	6" septie tank fittings (each)
3 and 4.....	\$0.44	\$0.44	\$0.44	-----
6.....	.616	.616	.616	\$0.75
8.....	.96	.96	.96	-----
10.....	1.344	1.344	1.344	-----
12.....	1.728	1.728	1.728	-----
15.....	2.88	2.88	2.88	-----
18.....	4.032	4.032	4.032	-----
21.....	5.376	5.376	5.376	-----
24.....	6.912	6.912	6.912	-----

TABLE A-3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Y's or T's 2' long (each)	Y's or T's 3' long, inlets 12' and under (each)	Y's or T's 3' long, inlets 15' and larger (each)	Double Y's or T's 2' long (each)
3 and 4.....	\$0.44	-----	-----	\$0.66
6.....	.616	-----	-----	.924
8.....	-----	\$1.20	-----	-----
10.....	-----	1.68	-----	-----
12.....	-----	2.16	-----	-----
15.....	-----	3.60	\$5.40	-----
18.....	-----	5.04	7.56	-----
21.....	-----	6.72	10.08	-----
24.....	-----	8.64	12.96	-----

TABLE A-4.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's (each)	Traps (each)	In-catchers and de-catchers
3 and 4.....	-----	-----	\$1.10	\$0.44
6.....	-----	-----	1.54	.616
8.....	\$1.68	-----	2.88	.96
10.....	2.352	-----	4.032	1.344
12.....	3.024	\$5.40	5.184	1.728
15.....	5.04	-----	2.88	-----
18.....	7.056	-----	4.032	-----
21.....	9.408	-----	5.376	-----
24.....	12.096	-----	6.912	-----

TABLE A-5.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Saddles and slants	Breeches	Strainers	Stoppers
3 and 4.....	Each \$0.44	Each \$0.66	Each \$0.66	Each \$0.66
6.....	.616	.924	.616	.616
8.....	.96	1.68	.96	.96
10.....	1.344	2.352	1.344	1.344
12.....	1.728	3.024	1.728	1.728
15.....	2.88	5.04	2.88	2.88
18.....	4.032	7.056	4.032	4.032
21.....	5.376	9.408	5.376	5.376
24.....	6.912	12.096	6.912	6.912

TABLE A-6.—GUTTER PIPE, CONDUIT PIPE, AND WELL PIPE

Inside diameter (inches)	Channel split or gutter pipe per split foot	Whole split or conduit pipe per whole foot	Well tubing and air pipe per foot
3" and 4" - 2' - 2 1/2' length.....	\$0.0704	\$0.1408	\$0.11
6" - 2' - 2 1/2' length.....	.0968	.1936	.154
8" - 3' length.....	.1536	.3072	.24
10" - 3' length.....	.2112	.4224	.336
12" - 3' length.....	.2688	.5376	.432
15" - 3' length.....	.4512	.9024	.72
18" - 3' length.....	.6336	1.2672	1.008
21" - 3' length.....	.84	1.68	1.344
24" - 3' length.....	1.08	2.16	1.728

TABLE A-7.—LARGE SEWER PIPE: ASTM SPECIFICATIONS No. 1 and No. 2

Inside diameter (inches)	No. 1 straight pipe per foot	No. 2 straight pipe per whole F	Well tubing and air pipe per foot
27—3' and 4' length	\$2.20	\$1.70	\$2.20
30—3' and 4' length	2.70	2.10	2.70
33—3' and 4' length	3.55	2.85	3.55
36—3' and 4' length	3.95	3.15	3.95

TABLE A-8.—LARGE SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Y's or T's—3' 6" inlet	Y's or T's—3' 8" inlet	Y's or T's—3' 10" inlet	Y's or T's—3' 12" inlet
27	Each \$8.60	Each \$9.60	Each \$11.60	Each \$12.60
30	10.10	11.10	13.10	14.10
33	12.65	13.65	15.65	16.65
36	13.85	14.85	16.85	17.85

TABLE A-9.—LARGE SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Y's or T's—3' 15" inlet (each)	Y's or T's—3' 18" inlet (each)	Y's or T's—3' 24" inlet (each)	Increasers, decreases and slants 1/4 curves (each)	Saddles and slants (each)
27	\$14.60	\$16.60	\$21.60	\$26.60	\$13.20
30	16.10	18.10	23.10	28.10	16.20
33	18.65	20.65	25.65	30.65	21.30
36	19.85	21.85	26.85	31.85	23.70

TABLE A-10.—VITRIFIED SALT GLAZED WALL COPING DOUBLE SLANT

Size	Straight coping, per foot 1	Corners	Closed ends and starters	Teas
9"—2' length	\$0.15	Each \$0.60	Each \$0.60	Each \$0.75
13"—2' length	.21	.84	.84	1.05
18"—2' length	.36	1.44	1.44	1.80

16" and 12" lengths priced as 1 foot of pipe. 18" lengths priced as 2 feet of pipe.

TABLE A-11.—SQUARE FIRE CLAY FLUE LINING

Size (outside dimensions)	Price per foot
4 1/2" x 8 1/2" 2' length	\$0.165
8 1/2" x 8 1/2" 2' length	.22
4 1/2" x 13" 2' length	.2475
8 1/2" x 13" 2' length	.33
13" x 13" 2' length	.4125
8 1/2" x 17 1/2" 2' length	.44
13" x 17 1/2" 2' length	.55
17 1/2" x 17 1/2" 2' length	.715

TABLE A-12.—ROUND FIRE CLAY FLUE LINING Chimney Pipe and Thimbles

Diameters (inside dimensions)	Prices per foot	Teas—2'	Thimbles
6"—2' length	\$0.154	(Each) \$0.616	(Each) \$0.154
7" thimbles			.24
8"—2' length	.24	.96	.24
9" thimbles			.336
10"—2' length	.336	1.344	.336
12"—2' length	.432	1.728	.432
15"—2' length	.72	2.88	.72
18"—2' length	1.008	4.032	1.008
21"—2' length	1.344	5.376	1.344
24"—2' length	1.728	6.912	1.728

Thimbles made 4 1/4", 6", 9" and 12" long.

TABLE B-2.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	1/4 curve (each)	1/2 curve (each)	3/4 curve (each)	6" septic tank fittings (each)	Y's or T's 2' long (each)	Y's or T's 3' long inlets 12" and under (each)	Y's or T's 3' long inlets 15" and larger (each)	Double Y's or T's 2' long (each)
3 and 4	\$0.52	\$0.52	\$0.52		\$0.52			\$0.78
6	.72	.72	.72	\$0.72	.72			1.08
8	1.12	1.12	1.12			\$1.40		
10	1.568	1.568	1.568			1.96		
12	2.016	2.016	2.016			2.52		
15	6.72	3.36	3.36			2.40	\$8.30	
18	9.408	4.704	4.704			2.58	8.82	
21	12.544	6.272	6.272			2.84	11.76	
24	16.128	8.064	8.064			2.10.08	15.12	

1 See special column for 12" x 12".

2 See next column.

TABLE B-3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's 3' long (each)	Traps (each)	Increases and decreases (each)	Saddles and slants (each)	Breeches (each)	Strainers (each)	Stoppers (each)
3 and 4			\$1.30	\$0.52	\$0.52	\$0.78	\$0.075	\$0.06
6			1.80	.72	.72	1.08	.10	.075
8	\$1.96		3.85	1.12	1.12	1.96	.45	.30
10	2.74		5.00	1.568	1.568	2.74	.90	.45
12	3.53	\$4.25	6.50	2.016	2.016	3.53	1.15	.70
15	5.88			3.36	3.36	5.88		.90
18	8.23			4.704	4.704	8.23		
21	10.98			6.272	6.272	10.98		
24	14.11			8.064	8.064	14.11		

1 See B-2.

TABLE B-4.—GUTTER PIPE, CONDUIT PIPE AND WELL PIPE

Inside diameter (inches)	Channel split or gutter pipe (per split foot)	Whole split or conduit pipe (per whole foot)	Well tubing and air pipe (per foot)
3 and 4	\$0.10	\$0.20	
6	.14	.28	
8	.22	.44	\$0.28
10	.31	.62	.392
12	.39	.78	.504
15	.65	1.30	.84
18	.91	1.82	1.176
21	1.20	2.40	1.568
24	1.55	3.10	2.016

TABLE B-5.—LARGE SEWER PIPE: ASTM SPECIFICATIONS

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
27"—3' and 4' length	\$2.55	\$2.05
30"—3' and 4' length	3.15	2.55
33"—3' and 4' length	4.05	3.35
36"—3' and 4' length	4.50	3.70

TABLE B-6.—LARGE SEWER PIPE FITTINGS: ASTM SPECIFICATIONS
No. 1 and No. 2

Inside diameter (inches)	Y's or T's—3' 6" inlet (each)	Y's or T's—3' 8" inlet (each)	Y's or T's—3' 10" inlet (each)	Y's or T's—3' 12" inlet (each)	Y's or T's—3' 15" inlet (each)	Y's or T's—3' 18" inlet (each)	Y's or T's—3' 21" inlet (each)	Y's or T's—3' 24" inlet (each)
27.....	\$9.65	\$10.65	\$12.65	\$13.65	\$15.65	\$17.65	\$22.65	\$27.65
30.....	11.45	12.45	14.45	15.45	17.45	19.45	24.45	29.45
33.....	14.15	15.15	17.15	18.15	20.15	22.15	27.15	32.15
36.....	15.60	16.60	18.60	19.60	21.60	23.60	28.60	33.60

TABLE B-7.—LARGE SEWER PIPE FITTINGS: ASTM SPECIFICATIONS
No. 1 and No. 2

Inside diameter (inches)	Decreases and increases and 1/4 curves (each)	Well tubing and air pipe (per foot)	Saddles and slants (each)
27"—3' and 4' length.....	\$15.30	\$2.55	\$15.30
30"—3' and 4' length.....	18.90	3.15	18.90
33"—3' and 4' length.....	24.30	4.05	24.30
36"—3' and 4' length.....	27.00	4.50	27.00

TABLE C-1.—SEWER PIPE: ASTM SPECIFICATIONS
No. 1 and No. 2

Inside diameter (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)
3" and 4"—2'-2 1/2' length.....	\$0.14	.....
6"—2'-2 1/2' length.....	.20	.....
8"—3' length.....	.32	\$0.295
10"—3' length.....	.448	.413
12"—3' length.....	.576	.531
15"—3' length.....	.96	.885
18"—3' length.....	1.344	1.239
21"—3' length.....	1.792	1.652
24"—3' length.....	2.804	2.124

TABLE C-2.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameter (inches)	1/4 curve (each)	1/2 curve (each)	3/4 curve (each)	6" Septic tank fittings (each)	Y's or T's 2' long (each)	Y's or T's 3' long inlets 12" and under (each)
3 and 4.....	\$0.66	\$0.66	\$0.66	.....	\$0.66	.....
6.....	.95	.95	.95	\$1.10	.95	.....
8.....	1.28	1.28	1.28	.....	.....	\$1.60
10.....	1.792	1.792	1.792	.....	.....	2.24
12.....	2.304	2.304	2.304	.....	.....	2.88
15.....	7.68	3.84	3.84	.....	.....	4.80
18.....	10.752	5.376	5.376	.....	.....	6.72
21.....	14.336	7.168	7.168	.....	.....	8.96
24.....	18.432	9.216	9.216	.....	.....	11.52

TABLE C-3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameters (inches)	Y's or T's 3' long inlets 15" and larger (each)	Double Y's or T's 2' long (each)	Double Y's or T's 3' long (each)	12" x 12" Y's or T's (each)	Traps (each)	Increases or decreases (see description below)
3 and 4.....	.....	\$0.84	.....	.....	\$1.65	\$0.66
6.....	.....	1.20	.....	.....	2.25	.95
8.....	.....	.....	\$2.24	.....	5.00	1.28
10.....	.....	.....	3.136	.....	6.00	1.792
12.....	.....	.....	4.032	\$4.25	8.00	2.304
15.....	\$7.20	.....	6.72	.....	.....	3.84
18.....	10.08	.....	9.408	.....	.....	5.376
21.....	13.44	.....	12.544	.....	.....	7.168
24.....	17.28	.....	16.128	.....	.....	9.216

TABLE C-4.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameters (inches)	Saddles and slants (each)	Breeches (each)	Strainers (each)	Stoppers (each)
3 and 4.....	\$0.66	\$0.84	\$0.10	\$0.10
6.....	.95	1.20	.15	.10
8.....	1.28	2.24	.45	.30
10.....	1.792	3.136	.90	.45
12.....	2.304	4.032	1.15	.70
15.....	3.84	6.72	.....	.90
18.....	5.376	9.408	.....	.....
21.....	7.168	12.544	.....	.....
24.....	9.216	16.128	.....	.....

TABLE C-5.—GUTTER PIPE, CONDUIT PIPE, AND WELL PIPE

Inside diameters (inches)	Channel split or gutter pipe (per split foot)	Whole split or conduit pipe (per whole foot)	Well tubing and air pipe (per foot)
3" and 4"—2'-2 1/2' length.....	\$0.10	\$0.20	\$0.14
6"—2'-2 1/2' length.....	.14	.28	.20
8"—3' length.....	.22	.44	.32
10"—3' length.....	.31	.62	.448
12"—3' length.....	.39	.78	.576
15"—3' length.....	.65	1.30	.96
18"—3' length.....	.91	1.82	1.344
21"—3' length.....	1.20	2.40	1.792
24"—3' length.....	1.65	3.10	2.304

TABLE C-6.—LARGE SEWER PIPE: ASTM SPECIFICATIONS

Inside diameters (inches)	No. 1 straight pipe (per foot)	No. 2 straight pipe (per foot)	Well tubing and air pipe (per foot)
27"—3' and 4' length.....	\$3.10	\$2.80	\$3.10
30"—3' and 4' length.....	3.90	3.25	3.90
33"—3' and 4' length.....	5.10	3.90	5.10
36"—3' and 4' length.....	6.00	4.65	6.00

TABLE C-7.—LARGE SEWER PIPE FITTINGS: ASTM SPECIFICATIONS

Inside diameters (inches)	Y's or T's—3' 6" inlet (each)	Y's or T's—3' 8" inlet (each)	Y's or T's—3' 10" inlet (each)	Y's or T's—3' 12" inlet (each)	Y's or T's—3' 15" inlet (each)
27.....	\$11.30	\$12.30	\$14.30	\$15.30	\$17.30
30.....	13.70	14.70	16.70	17.70	19.70
33.....	17.30	18.30	20.30	21.30	23.30
36.....	20.00	21.00	23.00	24.00	26.00

TABLE C-8

Inside diameters (inches)	Y's or T's—3' 18" inlet (each)	Y's or T's—3' 21" inlet (each)	Y's or T's—3' 24" inlet (each)	Increases, decreases and 1/4 curves (each)	Saddles and slants (each)
27.....	\$19.30	\$24.30	\$29.30	\$18.60	\$18.60
30.....	21.70	26.70	31.70	23.40	23.40
33.....	25.30	30.30	35.30	30.60	30.60
36.....	28.00	33.00	38.00	36.00	36.00

TABLE C-9.—VITRIFIED SALT-GLAZED WALL COPING (DOUBLE SLANT)

Size	Straight coping (per foot) ¹	Corners (see description below)	Closed ends and starters (each)	Tees (each)
9"—2' length.....	\$0.22	\$0.88	\$0.88	\$1.10
13"—2' length.....	.31	1.24	1.24	1.55
18"—2' length.....	.51	2.04	2.04	2.55

¹ 6" and 12" lengths priced as 1 foot of pipe. 18" lengths priced as 2 feet of pipe.

TABLE C-10.—SQUARE FIRE CLAY FLUE LINING

Size, outside dimensions (inches)	Price per foot
4 1/2" x 8 1/2"—2' length.....	\$0.24
8 1/2" x 8 1/2"—2' length.....	.33
4 1/2" x 13"—2' length.....	.36
8 1/2" x 13"—2' length.....	.47
13" x 13"—2' length.....	.58
8 1/2" x 17 1/2"—2' length.....	.63
13" x 17 1/2"—2' length.....	.77
17 1/2" x 17 1/2"—2' length.....	.98

TABLE C-11.—ROUND FIRE CLAY FLUE LINING CHIMNEY PIPE AND THIMBLES

Inside dimensions (inches)	Prices per foot ¹		Tees—2' each	Thimbles each
	With-out hole	With hole		
6"—2' length.....	\$0.22	\$0.25	\$0.88	\$0.30
7"—Thimbles.....	.....	.....	.....	.40
8"—2' length.....	.34	.45	1.36	.40
9"—Thimbles.....	.....	.....	.....	.55
10"—2' length.....	.49	.60	1.96	.80
12"—2' length.....	.62	.80	2.48	.....
15"—2' length.....	1.02	1.25	4.08	.....
18"—2' length.....	1.41	1.75	5.64	.....
21"—2' length.....	1.91	2.25	7.64	.....
24"—2' length.....	2.42	2.75	9.68	.....

¹ Add 50 percent to List if inlets or holes are 15 inches or larger.

ARTICLE IX—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE SOUTH CENTRAL AREA

SEC. 9.1 *Application.* The provisions of this article shall apply to sales of sewer pipe products when delivery to the purchaser is within the South Central Area which is hereby defined as the entire State of Texas and that part of Louisiana west of the Mississippi River.

SEC. 9.2 *List prices.* The list prices of sewer pipe products when delivery to the purchaser is within the South Central Area shall be as shown in the following tables numbered 1 to 13 inclusive. Each item shown on the tables of list prices carries a discount number which is shown opposite such item at the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products	Table No.
Cistern Tops.....	8
Flue Lining:	
Rectangular.....	10
Round.....	11
Flue Rings and Thimbles.....	13
Sewer Pipe:	
ASTM #1 and #2.....	1
Channel or split pipe.....	7
Perforated.....	7
Sewer Pipe Fittings:	
Curves.....	2
Elbows.....	3
Increasers.....	3
Reducers.....	3
Saddles.....	3
Slants.....	3
Stoppers.....	3
Strainers.....	3
Tee's; Single and Double, Standard and Special.....	2
Traps:	
H. H.....	6
P & R.....	5
Vent.....	6
Y-Branches; single and Double, Standard and Special.....	2
Slop Hoppers and Closet Hoppers.....	4
Stove Pipe.....	12
Stove Pipe Fittings:	
Anchor Tops.....	12
Chime Bottoms.....	12
Double Openings.....	12
Drop Bottoms.....	12
Single Openings.....	12
Wall coping: Double Slant.....	9
Wall Coping Fittings:	
Angles.....	9
Closed Ends or Starters.....	9
Corners.....	9
Tees.....	9

TABLE 1.—SEWER PIPE: ASTM SPECIFICATIONS #1 AND #2

Inside diameter (inches)	Per foot	Discount number	
		#1 pipe	#2 pipe
4.....	\$0.25	1	4
6.....	.35	2	1
8.....	.50	3	2
10.....	.70	3	2
12.....	.90	3	2
15.....	1.50	3	2
18.....	2.10	3	2
21.....	2.80	3	2
24.....	3.60	3	2

TABLE 2.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS Y AND T BRANCHES—2-FOOT, 2½-FOOT, AND 3-FOOT LENGTHS

Inside diameter (inches)	2-foot lengths (each)	2½-foot lengths (each)	3-foot lengths (each)	Discount number
4.....	\$1.00			1
6.....	1.40			2
8.....		\$2.25	\$2.50	3
10.....		3.15	3.50	3
12.....		4.05	4.50	3
15.....		6.75	7.50	3
18.....		9.45	10.50	3
21.....		12.60	14.00	3
24.....		16.20	18.00	3

1 T's and Y's, with inlets 15" and larger; 2½ Ft. long each at price of 6¾ Ft. of pipe of same diameter; 3 Ft. long, each at price of 7½ Ft. of pipe of same diameter.

Double T's and Y's, with inlets 12" and smaller, 2 Ft. long, each at price of 6 Ft. of pipe of same diameter; 2½ Ft. long, each at price of 6¾ Ft. of pipe of same diameter; 3 Ft. long, each at price of 7 Ft. of pipe of same diameter.

Double T's and Y's, with inlets 15" and larger, 2½ Ft. long, 10 times price of one Ft. of pipe of same diameter, 3 Ft. long, 10½ times 1 Ft. of pipe of the same diameter.

TABLE 3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS. CURVES AND ELBOWS: SADDLES AND SLANTS: INCREASERS AND REDUCERS: STOPPERS AND STRAINERS

Inside diameter (inches)	½ curves (each)	Elbows and ¼ curves (each)	Saddles and slants (each)	Increasers and reducers (each)	Stoppers (each)	Strainers (each)	Discount number
4.....	\$1.00	\$1.00	\$0.50		\$0.06	\$0.09	1
6.....	1.40	1.40	.70	\$1.40	.08	.12	2
8.....	2.00	2.00	1.00	2.00	.25	.40	3
10.....	2.80	2.80	1.40	2.80	.35	.60	3
12.....	3.60	3.60	1.80	3.60	.45	.80	3
15.....	6.00	12.00	3.00	6.00	.75		3
18.....	8.40	16.80	4.20	8.40	1.05		3
21.....	11.20	22.40	5.60	11.20	1.40		3
24.....	14.40	28.80	7.20	14.40	1.80		3

TABLE 4.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS—SLOP HOPPERS: CLOSET HOPPERS

Spigot, inside diameter (inches)	Bowl, inside diameter (inches)	Slop and closet hoppers (each)	Discount number
4 x 12		\$3.60	3
6 x 12		3.60	3

TABLE 5.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS. P AND R TRAPS

Inside diameter (inches)	P and R traps (each)	Discount number
4.....	\$2.50	1
6.....	3.50	2
8.....	6.00	3
10.....	8.40	3

TABLE 6.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS. H. H. AND VENT TRAPS

Inside diameter (inches)	H. H. and vent traps (each)	Discount number
4 x 4.....	\$2.50	1
6 x 4.....	3.50	2
6 x 6.....	3.50	2
8 x 6.....	6.00	3
10 x 6.....	8.40	3
12 x 6.....	10.80	3

TABLE 7.—SEWER PIPE: ASTM SPECIFICATIONS CHANNEL, SPLIT OR CONDUIT PIPE: PERFORATED PIPE

Inside diameter (inches)	Channel, split or conduit pipe ½ circle (per foot)	Perforated pipe (foot)	Discount number
4.....	\$0.16	\$0.50	1
6.....	.22	.70	2
8.....	.32	.90	3
10.....	.44	1.25	3
12.....	.56	1.50	3
15.....	.94	2.00	3
18.....	1.32	2.50	3
21.....	1.75	3.25	3
24.....	2.25	4.00	3

TABLE 8.—SEWER PIPE: ASTM SPECIFICATIONS CISTERN TOPS

Inside diameter	Cistern tops (each)	Length (feet)	Discount number
12.....	\$1.80	1, 1½ and 2.....	3
15.....	3.00	1, 1½ and 2.....	3
18.....	4.20	1, 1½ and 2.....	3
20.....	5.10	1, 1½ and 2.....	3
21.....	5.60	1, 1½ and 2.....	3
24.....	7.20	1, 1½ and 2.....	3

TABLE 9.—WALL COPING AND FITTINGS: DOUBLE SLANT

Width (inches)	Straight coping (per foot)	Corners (each)	Angles (each)	Closed ends (each)	Tees (each)	Discount number
9.....	\$0.25	\$1.00	\$1.00	\$1.00	\$1.25	5
13.....	.35	1.40	1.40	1.40	1.75	5
18.....	.60	2.40	2.40	2.40	3.00	5

TABLE 10.—FLUE LINING: RECTANGULAR

Outside dimensions (inches)	Per foot	Discount number
4½ x 8½.....	\$0.30	6
8½ x 8½.....	.40	6
4½ x 13.....	.45	6
8½ x 13.....	.60	6
13 x 13.....	.75	6
8½ x 17½.....	.80	6
13 x 17½.....	1.00	6
17½ x 17½.....	1.30	6

TABLE 11.—FLUE LINING: ROUND

Inside diameter (inches)	Per foot	Discount number
6.....	\$0.35	2
8.....	.50	3
10.....	.70	3
12.....	.90	3
15.....	1.50	3
18.....	2.10	3
21.....	2.80	3
24.....	3.60	3

TABLE 12.—CHIMNEY PIPE AND FITTINGS

Inside diameter (inches)	Socket pipe (per foot)	Drop bottom (each)	Anchor top (each)	Chime bottom (each)	Single opening (each)	Double opening (each)	Discount number
6.....	\$0.35	\$2.80	\$2.80	\$1.40	\$1.40	\$2.80	2
8.....	.50	4.00	4.00	2.00	2.00	4.00	3

TABLE 13.—STOVE PIPE THIMBLES AND FLUE RINGS

Inside diameter (inches)	Lengths (inches)	Thimbles (each)	Rings (each)	Discount number
6	4½-6-9-12	\$0.35	\$0.20	2
8	4½-6-9-12	.50	.30	3
10	4½-6-9-12	.70	.40	3
12	4½-6-9-12	.90	.50	3

SEC. 9.3 *Percentage discounts.* The percentage discounts set forth in the table below are so arranged that the applicable percentage discount for any item delivered in any geographical zone in the South Central Area can be determined by the following procedure:

Select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the table below. After determining the proper geographical zone within which the destination point occurs the applicable percentage discount will be found at the junction of the vertical geographical zone column and the horizontal line at which the predetermined discount number appears.

Discount number	Texas	Louisiana (west of Mississippi River)
1	60	60
2	55	55
3	50	50
4	65	61
5	40	40
6	52	52

SEC. 9.4 *Maximum prices.* Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in tables 1 to 13, inclusive, the discounts as determined in section 9.3 hereof, in accordance with the following rules:

(a) (1) The maximum f. o. b. factory prices for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed, within any geographical zone of the South Central Area shall be determined by applying to the list prices contained in section 9.2 the discount listed for such geographical zone, reduced by 1% for each 2¢ (or fraction thereof) of freight computed at the minimum carload rate from Texarkana, Texas, or Saspamco, Texas, whichever is less, to destination.

(2) Maximum prices for shipments of sewer pipe products delivered by motor carrier, full freight allowed, to a destination within any zone of the South Central Area shall be determined by applying a discount four points shorter than the discount which would have been applicable had the shipment been a carload shipment by rail.

(b) The maximum price per lineal foot for Nos. 1 and 2 sewer pipe 27"-36"

inclusive, A. S. T. M. specifications, delivered by rail within the South Central Area may be charged which do not exceed such maximum prices established, in Chart I, f. o. b. factory plus actual freight at the minimum carload rate from St. Louis, Missouri to destination on the basis of the weights established in the invoice weight column of Chart I.

CHART I

Large sewer pipe ASTM specifications. (Inside diameter, inches.)	Invoice weights (lbs. per foot)	Texas	Louisiana west of Mississippi River
27" #1 per foot	245	\$2.60	\$2.00
30" #1 per foot	300	3.15	3.15
33" #1 per foot	355	3.70	3.70
36" #1 per foot	395	4.15	4.15
27" #2 per foot	245	2.10	2.10
30" #2 per foot	300	2.55	2.55
33" #2 per foot	355	3.00	3.00
36" #2 per foot	395	3.55	3.55

ARTICLE X—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE ROCKY MOUNTAIN AREA

SEC. 10.1 *Application.* The provisions of this article shall apply to sales of sewer pipe products when delivery to the purchaser is within the Rocky Mountain Area which is hereby defined as the entire States of Colorado, Utah, New Mexico, and Zones 1, 2, and 3 in Wyoming, Zones 2 and 3 in the State of Montana, Zone 3 in the State of Idaho, Zone 2 in the State of Nevada, and Zone 2 in the State of Arizona.

Zone 2 in the State of Montana is described as follows: All of the counties of Liberty, Hill, Blaine, Phillips, Valley, Daniels, Sheridan, Roosevelt, Richland, and Chouteau.

Zone 3 in the State of Montana is described as follows: All of the counties south of Zone 2 and east of the east line of the following counties: Cascade, Meagher, Clark, Jefferson, and Madison except the town of West Yellowstone, and except all towns on the Chicago, Burlington and Quincy Railroad between and including Billings and Warren.

Zone 4 in the State of Montana is described as follows: All towns on the Chicago, Burlington and Quincy Railroad between and including Billings and Warren.

Zone 3 in the State of Idaho is described as follows: All of the State of Idaho south of and including the following counties: Canyon, Ada, Elmore, Custer, Lemhi, Clark, and Fremont, and the town of West Yellowstone, Montana.

Zone 2 in the State of Nevada is described as follows: the counties of Elko, Lander, Eureka, White Pine, Lincoln, and Nye.

Zone 2 in the State of Arizona is described as follows: the counties of Navajo, Apache, Gila, Graham, Greenlee, and Cochise.

Zone 1 in Wyoming is described as all that part of the State west of the Continental Divide; Zone 2 is described as all that part of the State east of the Continental Divide except the counties of Carbon, Albany, Platte, Goshen, and Laramie; Zone 3 is described as all of the counties of Carbon, Albany, Platte, Goshen, and Laramie.

SEC. 10.2 *List prices.* List prices of sewer pipe products when delivered to the purchaser in the Rocky Mountain Area, shall be as shown in the following tables numbered 1 to 11, inclusive. Each item shown in the tables of list prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products	Table No.
Flue lining:	
Rectangular	8
Round	9
Flue Rings and Thimbles	11
Sewer Pipe:	
ASTM #1 and #2	1
Channel or split pipe	6
Perforated	6
Sewer Pipe Fittings:	
Curves	3
Elbows	3
Increasers	3
Reducers	3
Saddles	3
Slants	3
Stoppers	3
Strainers	3
Tee's; single & double, standard & special	2
Traps:	
H. H.	5
P & R	4
Vent	5
Y-Branches:	
Single and double	2
Standard and special	10
Stove Pipe:	
Stove Pipe Fittings:	
Anchor Tops	10
Chime Bottoms	10
Double Openings	10
Drop Bottoms	10
Single Openings	10
Wall Coping: Double Slant	7
Wall Coping Fittings:	
Angles	7
Closed Ends or Starters	7
Corners	7
Tee's	7

TABLE 1.—SEWER PIPE: ASTM SPECIFICATION #1 AND #2

Inside diameter (inches)	Per foot	Discount number	
		#1 pipe	#2 pipe
4	\$0.25	1	5
6	.35	2	6
8	.50	3	7
10	.70	3	7
12	.90	3	8
15	1.50	4	8
18	2.10	4	8
21	2.80	4	8
24	3.60	4	8

TABLE 2.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS
(Y and T Branches 1-2-ft., 2½-ft., and 3-ft. Lengths)

Inside diameter (inches)	2-ft. lengths (each)	2½-ft. lengths (each)	3-ft. lengths (each)	Discount number
4	\$1.00			1
6	1.40			2
8		\$2.25	\$2.50	3
10		3.15	3.50	3
12		4.05	4.50	3
15		6.75	7.50	4
18 With Inlet 12"		9.45	10.50	4
21 and smaller		12.60	14.00	4
24		16.20	18.00	4

1 T's and Y's, with inlets 15" and larger; 2½ ft. long each at price of 6¼ ft. of pipe of same diameter; 3 ft. long, each at price of 7½ ft. of pipe of same diameter.

Double T's and Y's, with inlets 12" and smaller, 2 ft. long, each at price of 6 ft. of pipe of same diameter; 2½ ft. long, each at price of 6¼ ft. of pipe of same diameter; 3 ft. long, each at price of 7 ft. of pipe of same diameter.

Double T's and Y's, with inlets 15" and larger, 2½ ft. long, 10 times price of one ft. of pipe of same diameter; 3 ft. long, 10½ times 1 ft. of pipe of the same diameter.

TABLE 3.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS
(Curves and Elbows: Saddles and Slants: Increasers and Reducers: Stoppers and Strainers)

Inside diameter (inches)	Curves, ¼ (each)	Elbows and ¼ curves (each)	Saddles and slants (each)	Increasers and reducers (each)	Stoppers (each)	Strainers (each)	Discount number
4	\$1.00	\$1.00	\$0.50		\$0.06	\$0.09	1
6	1.40	1.40	.70	\$1.40	.08	.12	2
8	2.00	2.00	1.00	2.00	.25	.40	3
10	2.80	2.80	1.40	2.80	.35	.60	3
12	3.60	3.60	1.80	3.60	.45	.80	3
15	6.00	12.00	3.00	6.00	.75		4
18	8.40	16.80	4.20	8.40	1.05		4
21	11.20	22.40	5.60	11.20	1.40		4
24	14.40	28.80	7.20	14.40	1.80		4

TABLE 4.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS, P AND R TRAPS

Inside diameter (inches)	P and R traps (each)	Discount number
4		
6		
8		
10		
4	\$2.50	1
6	3.50	2
8	6.00	3
10	8.40	3

TABLE 5.—SEWER PIPE FITTINGS: ASTM SPECIFICATIONS, H. H. AND VENT TRAPS

Inside diameter (inches)	H. H. and vent traps (each)	Discount number
4 x 4	\$2.50	1
6 x 4	3.50	2
6 x 6	3.50	2
8 x 6	6.00	3
10 x 6	8.40	3
12 x 6	10.80	3

TABLE 6.—SEWER PIPE: ASTM SPECIFICATIONS
CHANNEL, SPLIT OR CONDUIT PIPE: PERFORATED PIPE

Inside diameter (inches)	Channel, split or conduit pipe, ¼ circle (foot)	Perforated pipe (foot)	Discount number
4	\$0.16	\$0.50	17
6	.22	.70	17
8	.32	.90	18
10	.44	1.25	18
12	.56	1.50	18
15	.94	2.00	19
18	1.32	2.50	19
21	1.75	3.25	19
24	2.25	4.00	19

TABLE 7.—WALL COPING AND FITTINGS: DOUBLE SLANT

Width (inches)	Straight coping (per foot)	Corners (each)	Angles (each)	Closed ends (each)	Tees (each)	Discount number
9	\$0.25	\$1.00	\$1.00	\$1.00	\$1.25	15
13	.35	1.40	1.40	1.40	1.75	16
18	.60	2.40	2.40	2.40	3.00	

TABLE 8.—FLUE LININGS: RECTANGULAR

Outside dimensions (inches)	Per foot	Discount number
4½ x 8½	\$0.30	9
8½ x 8½	.40	9
4½ x 13	.45	10
8½ x 13	.60	10
13 x 13	.75	11
8½ x 17½	.80	11
13 x 17½	1.00	11
17½ x 17½	1.30	11

TABLE 9.—FLUE LININGS: ROUND

Inside diameter (inches)	Per foot	Discount number
6	\$0.35	12
8	.50	13
10	.70	13
12	.90	13
15	1.50	14
18	2.10	14
21	2.80	14
24	3.60	14

CHART I.—DELIVERED PERCENTAGE DISCOUNTS FOR STRAIGHT AND MIXED CARLOAD SHIPMENTS BY RAIL

Discount number	Utah	Idaho zone 3	Wyoming zone 1	Wyoming zone 2	Nevada zone 2	Montana zone 2	Montana zone 3	Montana zone 4
1	32	30	30	39	30	34	37	40
2	32	30	30	39	30	34	37	40
3	30	27	27	39	27	34	37	40
4	30	27	27	39	27	34	37	40
5	40	40	40	49	40	44	47	50
6	40	40	40	49	40	44	47	50
7	37	37	37	49	37	44	47	50
8	37	37	37	49	37	44	47	50
9	17½	17½	17½	34	17½	34	34	35
10	25	25	25	34	25	34	34	35
11	24	24	24	34	24	34	34	35
12				34		34	34	35
13				34		34	34	35
14				34		34	34	35
15				24		24	24	25
16				24		24	24	25
17	32	30						
18	30	27						
19	30	27						

1 The following is an exception to Chart I:

Discount number:

10 20
11 20

Idaho, zone 3—All Idaho towns on the Union Pacific Railroad west of American Falls

TABLE 10.—CHIMNEY PIPE AND FITTINGS

Inside diameter (inches)	Socket pipe (per foot)	Drop bottom (each)	Anchor top (each)	Chime bottom (each)	Single opening (each)	Double opening (each)	Discount number
6	\$0.35	\$2.80	\$2.80	\$1.40	\$1.40	\$2.80	12
8	.50	4.00	4.00	2.00	2.00	4.00	13

TABLE 11.—STOVE PIPE THIMBLES AND FLUE RINGS

Inside diameter (inches)	Lengths (inches)	Thimbles (each)	Rings (each)	Discount number
6	4½, 6, 9, 12	\$0.35	\$0.20	12
8	4½, 6, 9, 12	.50	.30	13
10	4½, 6, 9, 12	.70	.40	13
12	4½, 6, 9, 12	.90	.50	13

SEC. 10.3 Percentage discounts. The percentage discounts set forth in Charts I, II, III, and IV below are so arranged that the applicable percentage discounts for any item, for various methods of distribution, in any of the geographical zones in the Rocky Mountain Area can be determined by the following procedure: Select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the charts below. After determining the proper geographical zone within which the destination point occurs, and the character of the shipment (that is, whether (1) delivered at destination or delivered at factory; (2) carload lots or less than carload lots; and (3) rail or motor carrier) the applicable percentage discount will be found at the junction of the vertical geographical zone column in the proper chart and the horizontal line at which the predetermined discount number appears.

CHART II.—PERCENTAGE DISCOUNTS FOR DELIVERY BY MOTOR CARRIER

Discount number	Utah— Salt Lake and Davis Counties	Utah— Webber and Utah Counties	Colorado— Denver County
1.....	36	32	40
2.....	34	32	40
3.....	31	30	42
4.....	30½	30	40
5.....	45	44	-----
6.....	48	46	-----
7.....	45	44	-----
8.....	45	44	-----

CHART III.—PERCENTAGE DISCOUNTS F. O. B. FACTORY

Discount number	Colorado and New Mexico	Arizona, zone 2— Wyoming, zone 3
1.....	46	46
2.....	46	46
3.....	48	48
4.....	50	50
5.....	64	64
6.....	64	64
7.....	60	60
8.....	55	55
9.....	40	40
10.....	40	40
11.....	40	40
12.....	46	46
13.....	48	48
14.....	50	50
15.....	20	20
16.....	15	15
17.....	46	46
18.....	48	48
19.....	50	50

CHART IV.—PERCENTAGE DISCOUNTS F. O. B. FACTORY
STRAIGHT AND MIXED CARLOADS

Discount number	Utah (entire State); Idaho, zone 3; Wyom- ing, zone 1; Nevada, zone 2
1.....	-----
2.....	-----
3.....	-----
4.....	-----
5.....	-----
6.....	-----
7.....	-----
8.....	-----
9.....	-----
10.....	-----
11.....	-----
12.....	43
13.....	43
14.....	46
15.....	plus 20
16.....	plus 15

SEC. 10.4 *Maximum prices.* Maximum prices for sewer pipe products delivered at purchaser's destination shall be determined by applying to the list prices in tables 1 to 11, inclusive, the discounts as determined in section 10.3 hereof, in accordance with the following rules:

(a) (1) Maximum prices for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed, to a point within the states and zones listed in Chart I of section 10.3 shall be determined by applying the appropriate discounts to the list prices contained in section 10.2.

(2) The maximum price for full truck load quantities of sewer pipe products delivered by motor carrier to a destination listed in Chart II of section 10.3

shall be determined by applying the appropriate discounts to the list prices contained in section 10.2.

(b) The maximum f. o. b. factory price for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed, to a destination within any geographical zone set forth in Chart III shall be determined by applying to the list prices contained in section 10.2 the discounts listed for such f. o. b. factory price, reduced by 1% for each 2¢ (or fraction thereof) of freight, computed at the minimum carload rate from Denver, Colorado, to destination.

(c) The maximum f. o. b. factory price for straight or mixed carload shipments of sewer pipe products delivered by rail, full freight allowed, to a destination within any geographical zone set forth in Chart IV of section 10.3 shall be determined by applying to the list prices contained in section 10.2 the discounts listed f. o. b. factory reduced by 1% for each 2¢ (or fraction thereof) of freight, computed at the minimum carload rate from Salt Lake City, Utah to destination.

ARTICLE XI—MAXIMUM PRICES FOR SEWER PIPE PRODUCTS WHEN DELIVERY TO THE PURCHASER IS WITHIN THE PACIFIC AREA

SEC. 11.1 *Application.* The provisions of this article shall apply to sales of Vitrified Clay Sewer Pipe and allied products when delivery to the purchaser is within the Pacific Area which is hereby defined as the entire States of California, Oregon, Washington, Zones 1 and 2 in the State of Idaho, Zone 1 in the State of Montana, Zones 1 and 3 in the State of Nevada, and Zone 1 in the State of Arizona.

The State of California is divided into two zones, namely, Southern California and Northern California. The line dividing Southern California from Northern California shall be a line drawn from the Town of Morro Bay on the Pacific Coast, thence east running south of the Town of Santa Margarita; thence northeast to a point just south of the Town of Tipton, continuing to a point just south of the Town of Lindsay; thence east to the southern boundary of the Sequoia National Park; thence north along the crest of the Sierra Nevada Mountains to the southern boundary of Alpine County; thence along the southern boundary of Alpine County to the Nevada state-line.

Southern California is divided into five zones, numbered 1 to 5, inclusive. They are as follows:

Boundaries of Zone 1 include the following area: Starting at Van Ness and Manchester, east on Manchester to Alameda; thence north on Alameda to 25th Street; thence east on 25th Street to Indiana; thence north on Indiana and Indiana extended to Colorado; thence west on Colorado to Verdugo; thence south on Verdugo to the intersection of Los Feliz Boulevard extended; thence west from this point along Los Feliz Boulevard to the Los Angeles River; thence along the ridge of the hills to Laurel Canyon Boulevard; thence south along Laurel Canyon Boulevard to Sunset; thence west along Sunset to La Cienega; thence south on La Cienega to Adams; thence east along Adams to La Brea; thence south

on La Brea to Exposition; thence east on Exposition to Crenshaw; thence south on Crenshaw to Florence; thence east on Florence to Van Ness; thence south on Van Ness to Manchester.

Boundaries of Zone 2, except for the territory described as Zone 1. The boundary of Zone 2 shall include the following area and shall be a line drawn through and including the following towns: Malibu Beach, Girard, Chatsworth, San Fernando, Burbank, Glendale, Pasadena, Monrovia, Azusa, Glendora, La Vern, Claremont, Pomona, Brea, Fullerton, Anaheim, Orange, Tustin, Santa Ana, and Sunset Beach.

Boundary of Zone 3: Zone 3 is in two separate parts. The northern part includes all of that part of Ventura County south of a line drawn through and including the towns of Sea Cliff, Santa Paula, Fillmore, and Piru; The towns of Castaic, Sangus, and Newhall, all in Los Angeles County. The southern part of Zone 3 includes all of Orange County south of a line drawn through but excluding the towns of Sunset Beach, Santa Ana, Tustin, Orange, Anaheim, Fullerton, and Brea; all that part of San Bernardino County south of a line drawn through and including the towns of Upland, San Bernardino, and Redlands; all that part of Riverside County west of a line drawn through and including the town of Elsinore and March Field.

Boundary of Zone 4: Zone 4 includes the towns of Santa Barbara, Montecito, Summerland, and Carpinteria, all in Santa Barbara County; all of that part of Ventura County north of a line drawn through but excluding the towns of Sea Cliff, Santa Paula, Fillmore, and Piru; all of Los Angeles County north of a line drawn through but excluding the towns of Castaic, Sangus, Newhall, San Fernando, Burbank, Glendale, Pasadena, Monrovia, Azusa, Glendora, and Claremont, excepting the towns of Gorman, Caswell, and Sandberg; all that part of Kern County south of a line drawn through and including the towns of Domino, Mojave, and Muroc; all that part of San Bernardino County north of a line drawn through but excluding the towns of Upland, San Bernardino, and Redlands, and south of a line drawn through and including the towns of Kramer, Oro Grande, Victorville, Lucerne Valley and Morongo Lodge; all that part of Riverside County east of a line drawn through but excluding the towns of Elsinore and March Field, and west of a line drawn through and including the towns of Garnett, Palm Springs, Kenworthy, and Anza; all of San Diego County west of a line drawn through and including the towns of Oak Grove, Warner Springs, Santa Ysabel, Julian, Cuyamaca, Descanso, and Potrero.

Boundary of Zone 5: Zone 5 shall include all of Southern California, as described in Paragraph 2 of this section, except Zones 1, 2, 3, and 4, as previously described herein. Zone 5 shall also include the city of Yuma, Arizona.

Northern California includes all of the northern part of the State above the line described above, and also Zone 3 in the State of Oregon and Zone 1 in the State of Nevada. Northern California (as described above) is composed of 13 delivery zones, lettered from (AA) to (L), inclusive, and are described as follows:

Zone AA: Includes all points (on the Southern Pacific Lines, Northwestern Pacific R. R., Santa Fe Railway, Western Pacific Railroad, and Sacramento Northern Railway, including Branches) in the territory extending from San Francisco to and including Asilomar, Spreckels, Salinas, Santa Rosa, Fairfax, Sebastopol, Calistoga, Capay, Boyer, Corning, Wyoming, Colusa, Josephine, Bohemia, Chico, Oroville, Ione, Valley Springs,

Milton, Merced, Los Gatos, Colfax, and Placerville, California.

Zone A: Includes all points (on the railroads named in Zone AA and connections) beyond points named in Zone AA to and including Lake Majella, Gonzales, Hoplan, Princeton, Kentucky House, and Emigrant Gap, California.

Zone B: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding Zones, to and including Redwood Valley, Kings City, Red Bluff, Dos Palos, Sonora, Martell, Hamilton City, and Nevada City, California.

Zone C: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Fort Bragg, Dos Rios, Eaglet, Paradise, Redding, Coalinga, Octol, Turnbull, Kurth, Exeter, Woodrock, Raymond, Friant, Tuolumne, Lake Tahoe, and Bidwell, California.

Zone D: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including South Bay, Carlotta, Sterling City, Weed, and Floriston, California.

Zone E: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Cole, Dorris, Somoa, Arcata, Lemon Cove, California; Ditho and Reno, Nevada.

Zone F: Includes all points (on the railroads named in Zone AA) beyond points named in preceding zones, to and including McCloud, Hambone, Wendel, Westwood, and Bieber, California; and points in Nevada east of Flanagan and Hazen, including Fallon, Nevada.

Zone G: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Klamath Falls and Roseburg, Oregon; Yreka, California; Randell, Wabuska, and Moquist, Nevada, and El Portal, California.

Zone H: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Mound House and Schurz, Nevada and Termo, California.

Zone I: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Thorne, Nevada, and Alturas, California.

Zone J: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Hackmore, California, Luning and Carson City, Nevada, and Davis Creek, California.

Zone K: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Yerington and Mina, Nevada, and Lakeview, Oregon.

Zone L: Includes all points (on the railroads named in Zone AA and connections) beyond points named in preceding zones, to and including Virginia City and Raydell, Nevada.

Zone 1 in the State of Arizona is described as follows: All of the State of Arizona west of and including the Counties of Coconino, Yavapai, Maricopa, Pinal, Pima, and Santa Cruz, not including the City of Yuma.

Zone 1 in the State of Nevada is described as follows: All of the State of Nevada west of and including the following counties: Humboldt, Pershing, Churchill, Mineral, and Esmeralda.

Zone 3 in the State of Nevada is described as follows: The entire County of Clark.

Zone 1 in the State of Oregon is described as follows: Commencing at a point on the Oregon-Washington state line where the east-

ern boundary of Morrow County intersects such line; thence south along the eastern boundaries of Morrow, Wheeler, and Crook Counties, continuing south along the eastern boundary of Lake County to a point even with the Town of Wagontire; thence west along a line drawn from Wagontire to the eastern boundary of Coos County; thence south along the eastern boundary of Coos County to a point just south of the Town of Myrtle Point; thence west to the Coast. The Town of Myrtle Point shall be in Oregon Zone 1, and the Town of Roseburg shall be in Oregon Zone 3.

Zone 2 in the State of Oregon is described as follows: All of the State east of and including the Counties of Umatilla, Grant, and Harney.

Zone 3 in the State of Oregon is described as follows: all of that part of the State south of the southern boundary of Zone 1 and all west of and including the County of Lake.

Zone 1 in the State of Washington is described as the following counties: Snohomish, King, Pierce, and Kitsap.

Zone 2 in the State of Washington is described as: The counties of Whatcom, Skagit, Lewis, Cowlitz, Wahkiakum, Pacific, Thurston, Gray's Harbor, Mason, Jefferson, Clallam, Island, and San Juan.

Zone 3 in the State of Washington is described as follows: The counties of Clark, Skamania, and Klickitat.

Zone 4 in the State of Washington is described as follows: all that part of the State east of and including the counties of Okanogan, Chelan, Kittitas, Yakima, and Benton.

Zone 1 in the State of Idaho is described as follows: all of the State of Idaho north of and including the County of Idaho.

Zone 2 in the State of Idaho is described as follows: The counties of Adams, Washington, Payette, Gem, Boise, and Valley.

Zone 1 in the State of Montana is described as follows: all that part of the State west of and including the following counties: Toole, Pondera, Teton, Cascade, Meagher, Lewis and Clark, Jefferson, and Madison.

(b) **List prices.** The list prices of sewer pipe when delivery to the purchaser is within the Pacific Area shall be as shown in the following tables numbered 1 to 11 inclusive. Each item shown in the table of list prices carries a discount number which is shown opposite the item in the right-hand column and/or columns of each table.

Sec. 11.2 List prices. List prices of sewer pipe products when delivered to the purchaser in the Pacific Area shall be as shown in the following tables 1 to 11, inclusive. Each item shown in the tables of list prices carries a discount number which is shown opposite such item in the right-hand column and/or columns of each table.

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS

Description of products	Table Nos.
Channel Pipe	4
Chimney Pipe: Plain and Socket	8
Chimney Pipe: Patent	9
Chimney Pipe: Fittings	
Bottoms	8
Double Tee's	8
Single Tee's—12"	8
Single Tee's—24"	8
Offsets	8
Patent Tee's	9
Fire Clay Thimbles	10
Flue Lining:	
Rectangular or Square	5
Round	6

ARRANGEMENT OF TABLES FOR SEWER PIPE PRODUCTS—Continued

Description of products	Table Nos.
Gas Flues	7
Gas Flue Fittings:	
Elbows	7
Offsets	7
Double Tee's—12"	7
Single Tee's—12"	7
Single Tee's—24"	7
Sewer Pipe: Std. Strength #1 and #2. 3"-36"	1
Sewer Pipe: Extra Strength #1. 6"-36"	1
Sewer Pipe Fittings:	
Bends— $\frac{1}{4}$ and $\frac{1}{2}$	3
Elbows	3
Increases	3
Reducers	3
Slants	3
T and Y Branches: Single, Double & Special; Std. and Extra Strength	2
Traps:	
H. H.	3
P & S	3
Running	3
Wall Coping: Double Slant	11
Wall Coping Fitting: Double Slant: Angles	11
Corners	11
Ends and Starters	11
Tee's	11

TABLE 1.—PROPOSED PACIFIC LIST PRICES—SEWER PIPE: STANDARD AND EXTRA STRENGTH
NUMBER 1 AND NUMBER 2

Inside diameter (inches)	Price per foot	Discount number			
		Standard		Extra strength	
		#1	#2	#1	#2
3	\$0.20	1	8		
4-1', 2', 3' lengths	.25	2	8		
4-3'	.25	3	8		
5	.30	4	8		
6	.35	5	9	12	
8	.50	6	10	13	
10	.70	6	11	13	
12	.90	6	11	13	
15	1.50	6	11	13	
18	2.10	6	11	13	
21	2.80	6	11	13	
24	3.60	6	11	13	
27	5.00	7	11	14	
30	6.00	7	11	14	
33	8.00	7	11	14	
36	9.00	7	11	14	

TABLE 2.—SEWER PIPE FITTINGS
#1 STANDARD AND EXTRA STRENGTH

Pipe diameter (inches)	Price each			Discount number	
	T and Y branches—Single			Standard strength	Extra strength
	2' long (each)	2½' long (each)	3' long (each)		
3	\$0.80			1	
4	1.00			2	
5	1.20			4	
6	1.40			5	12
8	2.00	\$2.25	\$2.50	6	13
10	2.80	3.15	3.50	6	13
12	3.60	4.05	4.50	6	13
15	6.00		7.50	6	13
18	8.40		10.50	6	13
21	11.20		14.00	6	13
24	14.40		18.00	6	13
27	20.00		25.00	7	14
30	24.00		30.00	7	14
33	32.00		40.00	7	14
36	36.00		45.00	7	14

NOTE.—Double Y's and T's; Special T's; and T's and Y's with branches 15" diameter and over, add 56% to list price of branches.

TABLE 3.—SEWER PIPE FITTINGS
#1 STANDARD AND EXTRA STRENGTH

Inside diameter (inches)	1/4 bends (elbows) (90°) (each)	1/2 bends (45°) reducers, increasers, slants (each)	R and H traps (each)	P & S traps (each)	Discount number	
					Std.	Ex. Str.
3.....	\$0.80	\$0.80	\$2.00	\$2.00	1	1
4.....	1.00	1.00	2.50	2.50	2	2
5.....	1.20	1.20	3.00	3.00	4	4
6.....	1.40	1.40	3.50	3.50	5	12
8.....	2.00	2.00	6.00	6.00	6	13
10.....	2.80	2.80	8.40	8.40	6	13
12.....	3.60	3.60	15.00	15.00	6	13
15.....	12.00	6.00	—	—	6	13
18.....	16.80	8.40	—	—	6	13
21.....	22.40	11.20	—	—	6	13
24.....	28.80	14.40	—	—	6	13
27.....	40.00	20.00	—	—	7	14
30.....	48.00	24.00	—	—	7	14
33.....	64.00	32.00	—	—	7	14

TABLE 4.—CHANNEL OR SPLIT PIPE
#1 STANDARD STRENGTH

Inside diameter (inches)	Price per foot—half section	Discount number—Standard
3.....	\$0.12	24
4.....	.15	24
5.....	.18	24
6.....	.21	24
8.....	.30	24
10.....	.42	24
12.....	.54	24
15.....	.90	24
18.....	1.20	24
21.....	1.68	24
24.....	2.16	24
27.....	3.00	24
30.....	3.60	24
33.....	5.40	24

TABLE 5.—RECTANGULAR FLUE LINING, 2' LENGTHS

Outside dimensions (inches)	Price per foot	Discount number
8 x 8.....	\$0.45	15
8 1/4 x 8 1/4.....		
8 1/2 x 8 1/2.....		
8 x 12.....		
8 1/4 x 12.....	.65	15
8 1/2 x 12.....		
8 1/4 x 13.....		
8 1/2 x 13.....		
8 x 16.....	.85	15
8 1/4 x 16.....		
8 1/2 x 16.....		
8 1/4 x 17.....		
12 1/4 x 12 1/4.....	1.00	15
12 1/2 x 12 1/2.....		
12 1/4 x 16 1/4.....		
12 1/2 x 16 1/4.....		
13 x 13.....	1.25	15
12 1/4 x 17 1/4.....		
13 x 17.....		
13 1/4 x 17 1/4.....		
12 1/4 x 21.....	1.75	16
13 x 21.....		
16 1/4 x 16 1/4.....		
16 1/2 x 16 1/2.....		
17 x 17.....	1.75	16
17 1/2 x 17 1/2.....		
18 x 18.....		
16 1/4 x 21.....		
21 x 21.....	3.00	16
21 1/4 x 21 1/4.....		

TABLE 6.—ROUND FLUE LINING

Inside dimensions (inches)	Price per foot	Discount number
8 1/4.....	\$0.45	17
12 1/4.....	1.00	17

TABLE 7.—GAS FLUES AND FITTINGS

Outside dimensions of flues (inches)	Price per foot	Discount number
2 1/4 x 6.....	\$0.20	20
2 1/4 x 7 1/2.....	.25	20
3 1/4 x 5.....	.20	20
3 1/4 x 6 1/2.....	.30	20
3 1/4 x 7 1/2.....	.30	20
4 1/4 x 8 1/2.....	.35	20
4 1/4 x 13.....	.45	20
4 1/4 x 17.....	.70	20
8 1/2 x 8 1/2.....	.45	20

NOTE: Tees 1 foot lengths. 3 times price of 1 foot pipe.
Tees 2 foot lengths. 4 times price of 1 foot pipe. Double
Tees, Elbows and Offsets 1 foot long. 5 times price of
1 foot pipe.

TABLE 8.—CHIMNEY PIPE AND FITTINGS 2' LENGTHS

Inside diameter (inches)	Plain or socket pipe	Single T 12" length	Single T 24" length	Double T	Bottom pipe	Offsets	Discount number
	Per foot	Each	Each	Each	Each	Each	
4.....	\$0.30	\$1.20	\$1.20	\$1.80	\$1.20	—	18
5.....	.35	1.05	1.40	2.10	1.40	\$1.75	18
6.....	.40	1.20	1.60	2.40	1.60	2.00	18
8.....	.55	1.65	2.20	3.30	2.20	2.75	18
10.....	.75	3.00	4.00	4.50	—	—	18
12.....	1.00	—	—	6.00	—	—	18

TABLE 9.—PATENT CHIMNEY PIPE AND FITTINGS 2 1/2' LENGTHS

Inside diameter (inches)	Straight pipe per foot	Patent tees each	Discount number
4 1/4.....	\$0.30	24' long..... \$1.20	21
6.....	.40	18" long..... 1.40	21
6.....	.40	24" long..... 1.60	21
7.....	.45	17" long..... 1.60	21
8.....	.55	18" long..... 2.00	21
8.....	.55	24" long..... 2.20	21
10.....	.75	24" long..... 3.00	21
12.....	1.00	24" long..... 4.00	21
14.....	1.20	24" long..... 4.80	21
16.....	1.50	24" long..... 6.00	21
18.....	2.25	30" long..... 9.00	21
21.....	2.95	30" long..... 14.80	21

1 2 foot lengths.

TABLE 10.—FIRE CLAY TRIMBLES

Inside diameter (inches)	4" long	6" long	8" long	10" long	12" long	Discount number
	Each	Each	Each	Each	Each	
4.....	\$0.20	\$0.30	\$0.40	\$0.50	\$0.60	22
5.....	.30	.40	.50	.60	.70	22
6.....	.40	.50	.60	.70	.80	22
7.....	.50	.60	.70	.80	.90	22
8.....	.60	.70	.80	.90	1.00	22
10.....	.80	.90	1.00	1.10	1.20	22
12.....	1.00	1.10	1.20	1.30	1.40	22

TABLE 11.—WALL COPING AND FITTINGS: DOUBLE SLANT

Size (inches)	Per foot	Angles, ends, and starters, corners	Tees	Discount number
		Each	Each	
9.....	\$0.35	\$1.40	\$1.75	23
13.....	.50	2.00	2.50	23
17.....	.75	3.00	3.75	23

SEC. 11.3 Percentage discounts. The percentage discounts set forth in the following charts are so arranged that the applicable percentage discounts for any item, for various methods of distribution in any of the geographical zones in

the Pacific area can be determined by the following procedure: Select the discount number shown on the list price tables for the desired item. An identical number appears in the left-hand column of the charts below. After determining the proper geographical zone within which the destination point occurs, and the character of the shipment (that is, whether (1) delivered at destination or delivered at factory; (2) carload lots; and (3) rail or motor carrier) the applicable percentage discount will be found at the junction of the vertical geographical zone column in the proper chart and the horizontal line at which the predetermined discount number appears.

CHART I.—F. O. B. FACTORY DISCOUNTS

Discount number	Southern California, zones 1 to 5, inclusive		Arizona zone 1, Nevada zone 3	
	Dealer	Trade	Dealer	Trade
1.....	—	—	—	—
2.....	19	10	19	—
3.....	13	3	3	—
4.....	—	—	—	—
5.....	28	20	28	—
6.....	35	35	35	—
7.....	35	35	35	—
8.....	28	28	—	—
9.....	43	43	—	—
10.....	76	70	—	—
11.....	55	55	—	—
12.....	15	15	15	15
13.....	25	25	25	25
14.....	25	25	25	25
15.....	10	10	28	—
16.....	10	10	28	—
17.....	10	10	28	—
18.....	10	10	28	—
19.....	10	10	28	—
20.....	10	10	28	—
21.....	10	10	28	—
22.....	10	10	28	—
23.....	—	—	—	—

CHART II.—CARLOAD SHIPMENTS—DELIVERED BY RAIL

Discount number	Southern California, zones 1, 2, 3, 4, 5		Arizona, zone 1		Nevada, zone 3	
	Dealer	Trade	Dealer	Trade	Dealer	Trade
2	15	5	9½	1½	11½	2½
3	8½	plus 2				
4						
5	19	10	14	6½	17	9
6	30	30	22	25	25	25
7	30	30	24	24	26	26
8	24	24				
9	38	38				
10	71	65				
11	45	45				
12			1	4		
13	20	10½	10½	13½	13½	13½
14	20	12½	12½	13	13	13
15	5	5	12	plus 5½	19½	1½
16	5	5	17	plus 1	22½	4½
17	5	5				
18	5	5	15	plus 3	20½	2½
19	5	5	20	2½	20½	2½
20	5	5				
21	5	5				
22	5	5				

CHART III.—8 TONS OR MORE, DELIVERED BY MOTOR CARRIER

Discount number	Southern California, zone 1		Southern California, zone 2		Southern California, zone 3		Southern California, zone 4		Southern California, zone 5		Nevada, zone 3	
	Dealer	Trade	Dealer	Trade	Dealer	Trade	Dealer	Trade	Dealer	Trade	Dealer	Trade
2	19	10	19	10	15	5	15	5	10½	List	9	plus ½
3	13	3	13	3	8½	plus 2	8½	plus 2	4	plus 7		
4												
5	28	20	28	20	23	15	19	10	15	5	13	8
6	35	35	35	35	29½	29½	29½	27	27	21½	21½	21½
7	35	35	33	33	30	30	28	28	23	23	23	23
8	28	28	28	28	24	24	24	24	20	20		
9	43	43	43	43	38	38	38	38	33	33		
10	72	65	72	65	66	66	66	66	61	55		
11	50	50	50	50	45	45	45	45	40	40		
12	15	15	10	10	10	10	5	5	List	List	plus 5½	plus 5½
13	25	25	25	25	23	23	20	20	17	17	3	3
14	25	25	25	25	23	23	20	20	17	17	6½	6½
15	10	10	10	10	7	7	5	5	List	List		
16	10	10	10	10	7	7	5	5	List	List		
17	10	10	10	10	7	7	5	5	List	List		
18	10	10	10	10	7	7	5	5	List	List		
19	10	10	10	10	7	7	5	5	List	List		
20	10	10	10	10	7	7	5	5	List	List		

CHART IV.—SAN FRANCISCO AREA—13 TON LOTS

Discount number	Any purchaser delivered to Zone "AA" and "A"	
	Truck	Rail
1	20	22½
2	20	22½
3		
4	20	22½
5	25	27½
6	25	27½
7	25	27½
8	30	32½
9		
10		
11		
12		
13		
14		
15	25	27½
16	25	27½
17	25	27½
18	25	27½
19	25	27½
20	25	27½
21	25	27½
22	25	27½

CHART V.—SAN FRANCISCO AREA

Discount number	5 tons or more delivered by motor carrier to—				
	Dealer, zone "AA" and "A"	Main sewer contr., zone "AA" and "A"	Government, zone "AA" and "A"	Trade, zone "AA" and "A"	Casual buyer, zone "AA" and "A"
1	10	10	5½	5½	½
2	10	10	5½	5½	½
3					
4	10	10	5½	5½	½
5	15½	15½	11	11	6
6	15½	15½	15½	12½	12½
7	15½	15½	15½	12½	12½
8	20	20	15½	15½	10½
9					
10					
11					
12					
13					
14					
15	18½		11	11	
16	15½		11	11	
17	15½		11	11	
18	15½		11	11	
19	15½		11	11	
20	15½		11	11	
21	15½		11	11	
22	15½		11	11	

CHART VI.—SAN FRANCISCO AREA

Discount number	2 to 5 ton quantities delivered by motor carrier to—				
	Dealer zone "AA" and "A"	Main sewer contr., zone "AA" and "A"	Government, zone "AA" and "A"	Trade zone "AA" and "A"	Casual buyer, zone "AA" and "A"
1	10	10	plus 4½	plus 4½	plus 9½
2	10	10	plus 4½	plus 4½	plus 9½
3					
4	10	10	plus 4½	plus 4½	plus 9½
5	15½	15½	1	1	plus 4
6	15½	15½	15½	12½	12½
7					
8	20	20	5½	5½	½
9					
10					
11					
12					
13					
14					
15	15½		1	1	plus 4
16	15½		1	1	plus 4
17	15½		1	1	plus 4
18	15½		1	1	plus 4
19	15½		1	1	plus 4
20	15½		1	1	plus 4
21	15½		1	1	plus 4
22	15½		1	1	plus 4

CHART VII.—SAN FRANCISCO AREA
[Under two tons—Delivered by motor carrier]

Government	
Discount number	Zone "AA" and "A"
1	plus 6½
2	plus 6½
3	
4	plus 6½
5	List
6	13½
7	
8	3½
9	
10	
11	
12	
13	
14	
15	List
16	List
17	List
18	List
19	List
20	List
21	List
22	List

CHART VIII.—SEATTLE TERRITORY
[Delivered by rail]

Discount number	Washington zone 1				Washington zone 2	Washington zone 3
	Trade class 1*	Trade class 2*	Trade class 3*	Trade class 4*	All trade classes	All trade classes
1	15	20	40	30	35	35
2	15	20	40	30	35	35
3	15	20	35	30	35	35
4	15	20	25	25	25	25
5	15	20	25	25	25	25
6	15	20	25	25	25	25
7	15	20	25	25	25	25
8	40½	44	58	51	50	45
9	40½	44	54½	51	50	45
10	40½	44	47½	47½	50	35
11	40½	44	47½	47½	50	35
12		12 25			12 25	12 25
13		12 25			12 25	12 25
14						
15						
16						
17						
18		12 25			12 25	12 25
19						
20						
21						
22		25	25		25	25

* Applies only to dealer sales. One-foot lengths 10 points less discount than above.

* Contractors on Federal projects 5 points less discount than above.

CHART IX.—SEATTLE TERRITORY
[Delivered by truck—5-ton minimum]

Discount number	Washington zone 1			
	Trade class 1*	Trade class 2*	Trade class 3*	Trade class 4*
1.....	15	20	40	30
2.....	15	20	40	30
3.....	15	20	35	30
4.....	15	20	25	25
5.....	15	20	25	25
6.....	40½	44	58	51
7.....	40½	44	54½	51
8.....	40½	44	47½	47½
9.....	40½	44	47½	47½
10.....	List	List	15	List
11.....	List	List	15	List
12.....	List	List	15	List
13.....	List	List	15	List
14.....	List	List	15	List
15.....	List	List	15	List
16.....	List	List	15	List
17.....	List	List	15	List
18.....	List	List	15	List
19.....	List	List	15	List
20.....	List	List	15	List
21.....	List	List	15	List
22.....	List	List	15	List
23.....	List	List	15	List
24.....	List	List	15	List

*CLASS OF CUSTOMERS

Trade class 1: Retail trade.
Trade class 2: Retail problems; railroads; industries; general contractors.
Trade class 3: Federal, State, county, city; building materials dealers.
Trade class 4: Sewer contractors; wholesale plumbers; side sewer contractors.
¹ Applies only to Dealer sales for delivery in metro politan Seattle and Portland; also f. o. b. depot or dock.

CHART X.—DELIVERED BY RAIL IN STRAIGHT OR MIXED
CARLOAD SHIPMENTS TO DESTINATION IN THE FOLLOWING ZONES.

Discount number	Washington zone 4	Oregon zone 2	Idaho zone 1	Idaho zone 2	Montana zone 1
1.....	30	30	30	27	35
2.....	30	30	30	27	35
3.....	30	30	30	27	35
4.....	30	30	30	27	35
5.....	30	30	30	27	35
6.....	30	30	30	27	35
7.....	30	30	30	27	35
8.....	40	40	40	37	45
9.....	40	40	40	37	45
10.....	40	40	40	37	45
11.....	40	40	40	37	45
12.....	125	125	125	125	125
13.....	125	125	125	125	125
14.....	125	125	125	125	125
15.....	125	125	125	125	125
16.....	125	125	125	125	125
17.....	125	125	125	125	125
18.....	125	125	125	125	125
19.....	125	125	125	125	125
20.....	125	125	125	125	125
21.....	125	125	125	125	125
22.....	125	125	125	125	125
23.....	125	125	125	125	125
24.....	125	125	125	125	125

¹ Dealers only. Contractors on Federal projects 5 points less than above.
² 10 points discount to dealers.

CHART XI.—DELIVERED BY MOTOR CARRIER—LESS
THAN 26,000#
[Spokane and Spokane Valley ¹]

Discount number	Trade class No. 1*	Trade class No. 2*	Trade class No. 3*	Trade class No. 4*
1.....	10	20	25	15
2.....	10	20	25	15
3.....	10	20	25	15
4.....	10	20	25	15
5.....	10	20	25	15
6.....	10	20	25	15
7.....	10	20	25	15
8.....	20	30	35	25
9.....	20	30	35	25
10.....	20	30	35	25
11.....	20	30	35	25
12.....	List	10	10	10
13.....	List	10	10	10
14.....	List	10	10	10
15.....	List	10	10	10
16.....	List	10	10	10
17.....	List	10	10	10
18.....	List	10	10	10

*CLASS OF CUSTOMERS

Trade class 1: Retail trade.
Trade class 2: Railroads; retail lumber yards which do not stock sewer pipe; wholesale plumbers (quantities less than 500 ft.).
Trade class 3: Federal, State, county, city*, (quantities over 500 ft.); sewer contractors; building material dealers; wholesale plumbers (quantities over 500 ft.).

Trade class 4: House connection contractors* 3", 4" and 6" only; house contractors*; industries, Federal, State, county, city (less than 500 ft.); retail plumbers.
*Applies for city of Spokane only.

¹ 5 points less discount for delivery beyond city of Spokane up to fifty miles. 10 points less discount for delivery beyond fifty mile radius of Spokane and up to 125 miles.
² Dealers only.

CHART XII.—DELIVERED BY MOTOR CARRIER—
26,000# OR MORE
[Spokane and Spokane Valley]

Discount number	Trade class No. 2	Trade class No. 3
1.....	27½	30
2.....	27½	30
3.....	27½	30
4.....	27½	30
5.....	27½	30
6.....	27½	30
7.....	27½	30
8.....	37½	40
9.....	37½	40
10.....	37½	40
11.....	37½	40

*CLASS OF CUSTOMERS

Trade class 2: Railroads; retail lumber yards which do not stock sewer pipe; wholesale plumbers.
Trade class 3: Federal, State, county, city*, (quantities over 500 ft.); sewer contractors; building material dealers; wholesale plumbers.
*Applies for city of Spokane only.

CHART XIII.—SPOKANE

F. O. B. factory carloads. Trade class No. 3*

Discount number	
1.....	35
2.....	35
3.....	35
4.....	35
5.....	35
6.....	35
7.....	35
8.....	45
9.....	45
10.....	45
11.....	45

*CLASS OF CUSTOMERS

Trade class 3: Federal, State, county, city*, (quantities over 500 ft.); sewer contractors; building material dealers; wholesale plumbers.
*Applies for city of Spokane only.

SEC. 11.4 Maximum prices. Maximum prices for sewer pipe products for the Pacific Area shall be determined by applying to list prices in the Tables 1 to 11, inclusive, the discounts as determined in the several charts set forth in section 11.3 hereof, in accordance with the following rules:

(a) (1) The maximum f. o. b. factory price for straight or mixed carload shipments of sewer pipe products when intended for delivery by rail to a destination within any geographical zone set forth in Chart I shall be determined by applying the appropriate discounts set forth in Chart I, to the list prices contained in section 11.2.

(2) The maximum price for straight or mixed carload shipments of sewer pipe products delivered by rail to a destination within any geographical zone set forth in Chart II shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(3) The maximum price for sewer pipe products in quantities of 8 tons or more delivered by motor carrier to a destination within any geographical zone set forth in Chart III shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(4) (i) The maximum price for sewer pipe products in quantities of 13 tons or more delivered by motor carrier or rail to a destination within any geographical zone set forth in Chart IV shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(ii) The maximum price for sewer pipe products in quantities of 13 tons or more delivered by motor carrier or rail to a destination within zones B to L, inclusive, shall be determined by applying to the list prices contained in section 11.2 the applicable discounts established in Chart IV for the items selected, reducing such discounts one point for delivery into each successive zone.

(5) (i) The maximum price of sewer pipe products sold in quantities of 5 tons or more to a purchaser designated in Chart V, and delivered by motor carrier to a destination within any geographical zone set forth in Chart V shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(ii) The maximum price for sewer pipe products sold in quantities of 5 tons or more to a purchaser designated in Chart V and delivered by motor carrier to a destination within zones B to L, inclusive, shall be determined by applying to the list prices contained in section 11.2 the applicable discounts established in Chart V for the items selected, reducing such discounts one point for delivery into each successive zone.

(6) (i) The maximum price for sewer pipe products sold in quantities of 2 to 5 tons to a purchaser designated in Chart VI, and delivered by motor carrier within any geographical zone set forth in Chart VI shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(ii) The maximum price for sewer pipe products sold in quantities of 2 to 5 tons to a purchaser designated in Chart VI and delivered by motor carrier to a destination within zones B to L, inclusive, shall be determined by applying to the list prices contained in section 11.2 the applicable discounts established in Chart VI, for the items selected, reducing such discounts one point for delivery into each successive zone.

(7) (i) The maximum price of sewer pipe products sold in quantities of less than 2 tons to Government purchasers and delivered by motor carrier within any geographical zone set forth in Chart VII shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(ii) The maximum price for sewer pipe products sold in quantities of less than 2 tons to Government purchasers and delivered by motor carrier to a destination within zones B to L, inclusive,

shall be determined by applying to the list prices contained in section 11.2 the applicable discounts established in Chart VII for the items selected, reducing such discounts one point for delivery into each successive zone.

(8) The maximum price for straight or mixed carload shipments of sewer pipe products sold to a purchaser designated in Chart VIII, and delivered by rail within any geographical zone set forth in Chart VIII shall be determined by applying the appropriate discounts, subject to the qualifications set forth in footnotes 1 and 2, to Chart VIII, to the list prices contained in section 11.2.

(9) The maximum price for sewer pipe products sold in 5-ton minimum quantities to a purchaser designated in Chart IX, and delivered to a destination in the geographical zones set forth in Chart IX shall be determined by applying the appropriate discounts, subject to the qualification set forth in the footnote to Chart IX, to the list prices contained in section 11.2.

(10) The maximum price for straight or mixed carload shipments of sewer pipe products delivered by rail within any geographical zone set forth in Chart X shall be determined by applying the appropriate discounts, subject to the qualification set forth in the footnote to Chart X, to the list prices contained in section 11.2.

(11) The maximum price for sewer pipe products sold in quantities of 26,000 pounds or less to a purchaser designated by trade classes in Chart XI, and delivered by motor carrier within the geographical zone designated as Spokane and Spokane Valley, shall be determined by applying the appropriate discounts, subject to the qualifying footnotes set forth in Chart XI, to the list prices contained in section 11.2.

(12) The maximum price for sewer pipe products sold in quantities of 26,000 pounds or more to a purchaser designated by trade classes in Chart XII, and delivered by motor carrier within the geographical zone designated as Spokane and Spokane Valley, shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

(13) The maximum price for sewer pipe products sold in carload quantities f. o. b. factory to a purchaser designated as Class 3 in Chart XIII, shall be determined by applying the appropriate discounts to the list prices contained in section 11.2.

Effective date. This revised regulation shall become effective 25 October, 1943.

NOTE: The reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17034; Filed, October 19, 1943;
5:08 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH

[Rev. MPR 169, Amdt. 28,¹ Correction]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

The price established in item 12 for sale of sliced dried beef, packed in 3 lb. cartons, in Zone 9, as set forth in column 2 in the table contained in § 1364.452 (p) (3) is corrected to read "57.25".

This correction shall become effective October 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17041; Filed, October 19, 1943;
5:07 p. m.]

PART 1394—RATIONING OF FUEL AND FUEL PRODUCTS

[RO 5C,² Amdt. 78]

MILEAGE RATIONING: GASOLINE REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1394.7851(b) (1) (i) is amended to read as follows:

(i) To procure necessary food or supplies, or to obtain necessary medical attention or therapeutic treatment, including the transportation of a patient from the place where he has obtained medical attention or therapeutic treatment to his home or lodgings. However, no special ration shall be issued for the purpose of obtaining food or supplies for use in connection with the operation of a business or occupation, or for transportation of food or supplies to an occupant of a temporary or seasonal home or lodging unless he is required to live in such home or lodging because of his occupation.

This amendment shall become effective October 23, 1943.

(Pub. Law 671, 76th Cong.; as amended by Pub Laws 89, 421, and 507, 77th Cong.;

*Copies may be obtained from the Office of Price Administration.
¹ 8 F.R. 13249.

² 7 F.R. 9135, 9787, 10147, 10016, 10110, 10338, 10706, 10786, 10787, 11009, 11070; 8 F.R. 179, 274, 369, 372, 607, 565, 1028, 1202, 1203, 1365, 1282, 1366, 1318, 1588, 1813, 1895, 2098, 2213, 2238, 2353, 2431, 2595, 2780, 2720, 3096, 3261, 3253, 3255, 3254, 3316, 3616, 4189, 4341, 4850, 4976, 5267, 5268, 5468, 5486, 5564, 5756, 6261, 6179, 6441, 6846, 6687, 7390, 7455, 8009, 8180, 8680, 9021, 9022, 8980, 9062, 9202, 9304, 9334, 9219, 9787, 9457, 9330, 10082, 10364, 10365, 10511, 11429.

W.P.B. Dir. No. 1, Supp. Dir. No. 1Q, 7 F.R. 562, 9121; E.O. 9125, 7 F.R. 2719)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17031; Filed, October 19, 1943;
5:09 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 288,¹ Amdt. 10]

SPECIFIC MAXIMUM PRICES IN ALASKA

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1418.363 (g), Table VII is added to read as follows:

(g) Table VII—Maximum prices for raw or pasteurized fresh fluid milk in Juneau and Douglas, Alaska.

At Wholesale

To retail stores, institutional users and restaurants:

Quart	.....	\$0.18½
Pint	.....	.09¾
Half-Pint	.....	.06

At Retail

By retail stores—cash and carry:

Quart	.....	\$0.22
Pint	.....	.12

Delivery and credit:

Quart23
Pint13

By restaurants when consumed on premises:

Half-Pint10
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NOTE: A deposit charge not to exceed ten cents per bottle, regardless of size, may be required from a purchaser by a seller, this whole amount to be refunded to the purchaser when he returns the undamaged bottle to the seller.

This amendment shall become effective October 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17028; Filed, October 19, 1943;
5:06 p. m.]

PART 1418—TERRITORIES AND POSSESSIONS [MPR 373,² Amdt. 19]

MAXIMUM PRICES IN THE TERRITORY OF HAWAII

A statement of the considerations involved in the issuance of this amend-

¹ 7 F.R. 10581, 11012; 8 F.R. 23, 567, 2158, 2445, 6964, 3844, 8184, 12549, 13166.

² 8 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247, 11437, 11849, 12299, 12703, 13023, 13342, 13500.

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Maximum Price Regulation 373 is amended in the following respects:

1. The table following section 21 (d) (1) is amended by changing the wholesale maximum prices of oranges, all sizes, from "\$6.15 per box" to "\$6.55 per box"; by changing the special institutional maximum prices and retail maximum prices of oranges; by changing the wholesale maximum prices of apples, delicious, from "\$5.90 per box" to "\$5.85 per box"; by changing the wholesale maximum prices of pears, Bartlett, from "\$7.95 per lug" to "\$8.45 per box"; by adding the type "Shar Lea" to the category pears, all to read as follows:

	Whole- sale maxi- mum prices	Special insti- tutional maxi- mum prices	Retail maxi- mum prices
Oranges:		Per doz.	Per doz.
126's.....		\$0.72	\$0.83
150's.....		.60	.70
176's.....		.51	.60
200's.....		.45	.52
220's.....		.41	.48
252's.....		.36	.42
288's.....		.31	.36
344's.....		.26	.31
392's.....		.23	.27
Pears:	Per box	None	Per pound
Shar Lea.....	\$8.80		0.25

2. Section 48 (b) is deleted and Tables A and B are added in lieu thereof to read as follows:

TABLE A—FOR HAULING BETWEEN POINTS WITHIN THE CITY LIMITS OF KAUNAKAKAI

Drums of oil and gasoline.....	\$0.25 per drum
Automobile motors.....	.15 per motor
Other merchandise when hauled for a retailer or wholesaler in the course of his business:	
Weighing under 105 pounds.....	.05 per pkg.
Weighing over 105 pounds.....	.10 per pkg.
Other merchandise when hauled for persons not retailers or wholesalers—the maximum prices established under the General Maximum Price Regulation for the Territory of Hawaii.	

TABLE B—FOR HAULING BETWEEN HOMESTEAD AIRPORT AND HOOLEHUA, C.P.C. OR KAUNAKAKI

Package weighing:	Per package
1 to 50 pounds.....	\$0.25
51 to 100 pounds.....	.35
101 to 150 pounds.....	.45
Over 150 pounds.....	.55

NOTE: For all other hauling on the Island of Molokai 15¢ per package.

3. Section 52 (b) (1) is amended to read as follows:

(1) *Wholesalers and jobbers.* Except in the case of inter-island shipments mentioned in subparagraph (3) below, the maximum price for sales at wholesale of any article listed and described in paragraph (a) which was manufactured

outside the Territory of Hawaii shall be the amount determined either by multiplying the manufacturer's selling price, less all trade, cash or other discounts, except cash discounts up to 2%, by 1.25, or by multiplying the "landed cost" by 1.20: *Provided, That:*

4. The table following section 53 (b) (1) (iii) is deleted, (b) (2) (i) is amended and (b) (6) is amended, to read as follows:

(i) An amount equal to the manufacturer's selling price less all trade, cash or other discounts and allowances, except cash discounts up to 2%.

(6) *Manufacturing - wholesalers and manufacturing - retailers.* The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section which the wholesaler or retailer makes or has made for him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only the wholesale price of or to the wholesaler or retailer of the material and trimmings, plus the sewing charge as listed with the Office of Price Administration under the General Maximum Price Regulation for Hawaii.²

5. Section 52 (j) (4) is amended to read as follows:

(4) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer less all allowable discounts except cash discounts up to 8%.

6. Section 53 is added to read as follows:

SEC. 53 *Maximum prices for men's and boys' wear at wholesale and retail—(a) To what transactions, products, and persons this section applies—(1) What commodities are covered.* This section applies to all men's and boys' wear which are classified and defined as follows:

(i) *Topcoats and overcoats.* This classification includes masculine outerwear garments commonly known as topcoats and overcoats and designed to be worn over other outer apparel.

(ii) *Dress, tropical and wash suits.* This classification includes masculine wear commonly known as men's and boys' suits consisting of a coat, and trousers, with or without a vest and sold at a unit price.

(iii) *Separate or sport coats.* This classification includes all masculine garments commonly sold as separate coats and of a type designed to be worn with dress trousers or slacks, but does not include topcoats, overcoats, or rainwear.

(iv) *Separate trousers and slacks.* This classification includes all masculine garments commonly sold as separate trousers, slacks, and breeches, but does not include work pants.

(v) *Active sportswear.* This classification includes golf, tennis, and other outer shorts, athletic supporters, and sport uniforms, such as basketball suits, baseball suits, and like garments.

(vi) *Dress shirts.* This classification includes masculine garments commonly

known as dress shirts in neck sizes, with or without a collar attached, designed to be worn with a tie for street or evening wear, but does not include sport shirts and other casual shirts not sized in neck sizes.

(vii) *Sport shirts.* This classification includes all masculine wear commonly known as sport shirts, and includes Aloha shirts, "T" shirts and Polo shirts, and all other shirts not defined as Dress Shirts in (vi) above, or as work shirts in (xii) below.

(viii) *Pajamas.* This classification includes men's and boys' wear commonly known as pajamas, and includes regular pajamas, brief pajamas, sleep coats, nightgowns, sleep shorts and similar items.

(ix) *Underwear.* This classification includes all masculine garments commonly known as underwear, and includes athletic shirts, athletic drawers, union suits, support garments, and similar items.

(x) *Headwear.* This classification includes all masculine wear commonly known as hats or caps, whether made of fabric, straw, or felt, but does not include straw hats which are made locally of Native Hawaiian Lauhala, coconut, or other similar plant fibres.

(xi) *Rainwear.* This classification includes all masculine garments which are commonly regarded as having for their use protection against rain, and includes jackets, coats, hats, pants, umbrellas, and similar items, but does not include rubbers and other waterproof footwear.

(xii) *Work clothes.* This classification includes all masculine garments commonly known as work clothes, and includes work pants, shirts, socks, gloves, jackets, jumpers, aprons, overalls, uniforms, and similar items.

(xiii) *Accessories.* This classification includes all items worn by men and boys as accessories to the above garments, and includes handkerchiefs, garters, belts, suspenders, and dress or sport socks, but does not include jewelry accessories covered by MPF 374.³

(xiv) *Neckwear.* This classification includes all masculine articles worn around the throat, and includes cravats, collars, mufflers, and similar items.

(2) *What transactions are covered.* This section applies to sales at wholesale, sales at retail, sales by manufacturing-wholesalers and sales by manufacturing-retailers of the men's and boys' wear set forth in subparagraph (a) (1).

(b) *Maximum prices for sales at wholesale—(1) Wholesalers and jobbers.* Except in the case of inter-island shipments mentioned in subparagraph (3) below, the maximum price for sales at wholesale of any article listed and described in paragraph (a) which was manufactured outside the Territory of Hawaii shall be the amount determined either by multiplying the manufacturer's selling price, less all allowable trade, cash or other discounts or allowances, except cash discounts up to two percent, by the

*Copies may be obtained from the Office of Price Administration.

² 8 F.R. 5307, 6362.

³ 8 F.R. 5313, 10269, 10984.

figure given in the first column (1) of the Table of Wholesale Multiplication Figures (see below), or by multiplying the "landed cost" by the figure given in the second column (2) of said table: *Provided*, That:

(i) The wholesaler or jobber regularly carries such classification of articles in stock and has heretofore carried such classification of articles in stock, and

(ii) The particular article is to be sold out of such stock, and

(iii) The particular article was invoiced and shipped to the establishment of the wholesaler or jobber; and the wholesaler or jobber shall elect to use one of the two alternate methods of determining the maximum price and shall use it for all articles sold by him which are covered by this section. The method elected may not thereafter be changed without written permission of the Office of Price Administration. The wholesaler or jobber must send this office a statement of the method elected on or before October 13, 1943.

Table of Wholesale-Multiplication Figures	Column (1)	Column (2)
Topcoats, overcoats, dress tropical and wash suits, separate or sport coats and slacks, active sportswear, dress and sport shirts, pajamas, headwear, accessories, underwear, and work clothes	\$1.25	\$1.20

(2) *Landed cost.* For articles imported from outside the Territory of Hawaii "landed cost" shall be the total of the following amounts:

(i) An amount equal to the manufacturer's selling price less all allowable trade, cash or other discounts and allowances, except cash discounts up to two percent.

(ii) An amount equal to the transportation charges, if any, actually incurred by the wholesaler for transportation from the mainland point at which the wholesaler received delivery, to the mainland port of shipment (including Federal transportation tax and terminal charges) not in excess of public (common or contract) carrier rates.

(iii) An amount equal to mainland storage charges, and insurance in connection therewith, actually incurred by the wholesaler, but charges for storage and insurance in connection therewith in excess of three months shall not be included.

(iv) An amount equal to cartage charges actually incurred by the wholesaler for cartage from warehouse to dock in port of shipment, not in excess of public (common or contract) carrier rates.

(v) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler, and there may be included in this amount territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included but the type of coverage

is at the discretion of the buyer and seller.

(vi) An amount equal to cartage charges in the port of entry in the Territory of Hawaii from dock to warehouse, computed at a rate not in excess of 1.20 per ton, weight or measurement: *Provided*, That the commodity is moved from the dock at the wholesaler's expense.

(3) *Inter-island shipments.* In the case of a commodity originally imported from without the Territory of Hawaii to one island of the Territory and subsequently shipped to another island in the Territory, the maximum price in the island of final destination for sale by a wholesaler or jobber who has satisfied the conditions as to inventory set forth in sub-paragraph (1) above, and who has elected the second pricing (column 2) shall be the sum of the amounts specified in subdivisions (i) through (iv) below.

(i) An amount equal to the maximum wholesale price in the island from which the article was shipped, calculated under subparagraph (1) above.

(ii) An amount equal to cartage charges for cartage from the warehouse to the dock in the island from which the article was shipped, calculated at the rate set forth in subdivision (b) (2) (vi) above, whether or not such cartage charges are actually incurred.

(iii) An amount equal to charges for ocean freight, war risk and marine insurance actually incurred by the wholesaler for shipment between the islands, and there may be included in this amount territorial tolls and tonnage tax as shown on the bill of lading. However, the amount by which any cost of war risk insurance exceeds the rates charged by the War Shipping Administration shall not be included.

(iv) An amount equal to cartage charges on the island of destination, from dock to warehouse, computed at a rate not in excess of the amount set forth in subdivision (b) (2) (vi) above, provided that the articles are moved from the dock at the wholesaler's expense.

(4) *Maximum prices for locally made articles.* The maximum prices for sales at wholesale of any article manufactured in the Territory of Hawaii listed and described in paragraph (a) of this Section by a wholesaler or jobber who satisfies the conditions as to inventory set forth in subdivisions (b) (1) (i), (ii) and (iii) above, shall be those established by sections 2 and 3 of the General Maximum Price Regulation for Hawaii.

(5) *Drop shipments.* The maximum price for sales at wholesale of any article listed and described in paragraph (a) of this section by a person who has not heretofore regularly carried such article in stock, and such article is not being sold out of the stock, and such article was no invoiced and shipped to the establishment of such person, shall be those established by sections 2 and 3 of the General Maximum Price Regulation for Hawaii.

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for sales at wholesale of any article listed and described in para-

graph (a) of this section which the wholesaler or retailer makes or has made for him from materials owned by him shall be computed by multiplying the sum of the costs of manufacturing by 1.15. The costs of manufacturing shall include only the wholesale price of or to the wholesaler or retailer of the material and trimmings, plus the sewing charge as listed with the Office of Price Administration under the General Maximum Price Regulation for Hawaii.

(7) *Inability to determine price at wholesale.* Any person who is unable to determine prices under sub-paragraphs (b) (1), (3), (4), (5) or (6) shall apply to the Office of Price Administration for a maximum price. Such application must set forth the manufacturer's selling price less all trade, cash or other discounts and allowances, except cash discount up to two percent, and/or the "landed cost" for such articles as specified in paragraph (b) (2) of this section.

(8) *Restrictions on mark up at wholesale.* (i) The maximum price for sales of commodities at wholesale by persons who have purchased from a local wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer shall be the maximum price which the first wholesaler, jobber, manufacturing-wholesaler or manufacturing-retailer would have been entitled to charge under this Section 53. The purpose of this paragraph is to prevent the addition of more than one full wholesale markup to a commodity, regardless of the number of wholesalers or jobbers purchasing and reselling the commodity.

(ii) No part of the wholesale markup may be taken by a wholesaler-retailer on any article listed and described in paragraph (a) of this section that is sold by any retail outlet owned, controlled by, under the control of, controlling, or in any other way affiliated with respect to ownership or control, with the wholesaler.

(c) *Maximum prices for sales at retail—(1) Purchases from mainland manufacturers.* The maximum price for sales at retail for any article which the retailer purchases from a mainland manufacturer shall be the amount determined by multiplying the manufacturer's selling price, less all allowable discounts except cash discounts up to 8 percent, by the figure given below in the first column (1) of the Table of Retail Multiplication Figures for the classification of goods to be priced.

(2) *Purchases from distributors.* The maximum price for sales at retail for any article which the retailer purchases from a person selling at wholesale whose maximum prices for the sale are determined by paragraph (b) (5) (Drop Shipments) shall be the amount determined by multiplying the manufacturer's selling price by the figure given below in the first column (1) of the table below for the classification of goods to be priced.

(3) *Purchases from mainland wholesalers or jobbers.* The maximum price for sales at retail for any article which the retailer purchases from a mainland wholesaler or jobber shall be the amount

determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the second column (2) of the table below for the classification of goods to be priced.

(4) *Purchases from local wholesalers or jobbers.* The maximum price for sales at retail for any article imported from the mainland and which the retailer purchases from a local wholesaler or jobber shall be the amount determined by multiplying the wholesaler's or jobber's selling price by the figure given below in the third column (3) of the table below for the classification of goods to be priced.

(5) *Locally manufactured articles.* The maximum price for sales at retail of any article made by a manufacturer located in the Territory of Hawaii shall be: If the retailer purchases direct from the manufacturer, the amount determined by multiplying the manufacturer's selling price less all allowable discounts except cash discounts up to 8 percent by the figure given in the fourth column (4) of the table below; if the purchase of a locally manufactured article is made from a wholesaler, the amount determined by multiplying the manufacturer's selling price by the figure given in the fourth column (4) of the table below.

(6) *Manufacturing-wholesalers and manufacturing-retailers.* The maximum price for any article which the retailer purchases from a local manufacturing-wholesaler or manufacturing-retailer, or which he makes or has made for him, shall be the amount determined by multiplying the wholesale price as determined under paragraph (b) (6) by the figure given in the third column (3) of the table below for the classification of goods to be priced.

TABLE OF RETAIL MULTIPLICATION FIGURE:

	Column 1	Column 2	Column 3	Column 4
1. Topcoats and overcoats.....	1.80	1.57	1.50	1.75
2. Dress, tropical, slack, and wash suits; separate trousers and slacks; separate coats, sport coats, sweaters; swim trunks or shorts; sport or dress shirts, pajamas, headwear, neckwear, rainwear.....	1.75	1.57	1.50	1.70
3. Work clothes, active sportswear.....	1.70	1.57	1.50	1.65
4. Handkerchiefs, belts, garters, suspenders, dress or sport socks.....	1.70	1.55	1.50	1.65

(7) *Inability to determine price at retail.* Any person who is unable to determine prices at retail under paragraphs (c) (1) through (7) shall apply to the Office of Price Administration for the establishment of a maximum price.

(8) *Odd cent maximum prices at retail.* Whenever the calculation of a maximum retail price results in an odd cent maximum price, the maximum price may be adjusted to the nearest nickel.

(d) *Maximum prices for nationally advertised articles.* Application may be made for approval of a price for an article listed in paragraph (a) which is nationally advertised by the manufacturer thereof, and who requires that such

article be sold at the prices established by such manufacturer. The applicant must set forth:

(1) Description of the article or line to be priced.

(2) Proof that the manufacturer has established a resale price and that such price is so marked on the article that any purchaser can know that it is a nationally advertised price.

(3) A statement that the seller will not sell such article at a price higher than such nationally advertised price.

Such application of course need not be made where such nationally advertised price is not in excess of the maximum price as calculated under this section.

(e) *Maximum prices for assorted job lot merchandise.* In cases where a wholesaler or retailer purchases an assorted job lot of merchandise invoiced to him for a single or blanket price, he may make application to the Office of Price Administration for approval of his own allocation of the cost of such merchandise to the different articles involved. Such application shall show the allocation made by the wholesaler or retailer and shall show the resulting maximum wholesale or retail prices determined on the basis of such allocated costs.

(f) *Maximum prices for certain merchandise purchased at lower than manufacturer's maximum prices.* In cases where a retailer or wholesaler purchases from a manufacturer or wholesaler located outside the Territory of Hawaii any article listed and described in paragraph (a) of this section, at a price lower than the manufacturer's maximum price and lower than a price which the purchaser previously paid to such manufacturer or wholesaler for the same or similar merchandise, and where such lesser price was paid by reason of the size of the purchase or the seasonal nature of the goods, application may be made to the Office of Price Administration for a maximum price for resale of the merchandise, which maximum price is based upon the higher price previously paid to such manufacturer, and the appropriate multiple provided by the section. Any such application must be accompanied by the invoice for the goods in question and the invoice establishing the former higher price, or other evidence of a similar nature.

(g) *Records and reports.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373, the provisions of section 52 (h) shall be applicable to this section 53.

(h) *Posting and marking of prices.* Notwithstanding the provisions of section 10 of this Maximum Price Regulation 373, the provisions of section 52 (i) shall be applicable to this section 53, except that in section 52 (i) (1) the words "women's and girls'" shall be changed to "men's and boys'" for the purposes of this section 53.

(i) *Definitions.* When used in this section, the term:

(1) "Manufacturer's selling price" means the price at which the manufacturer of the article sold and invoiced it, before the deduction of any discounts or allowances, and shall not include any

transportation costs, marine or war risk insurance, storage charges, or any other charge.

(2) "Sale at wholesale" means a sale by a person who receives delivery of a commodity and resells it without changing its form, to any person other than an ultimate consumer, and includes sales to retailers by manufacturing-wholesalers, but does not include any sale by a producer, manufacturer, or fabricator of any wearing apparel or accessory produced, manufactured, or fabricated by him, or on his behalf by an agent or a contractor.

(3) "Wholesaler-retailer" means a firm or person who customarily sells at least 50% of the articles listed and described in paragraph (a) of this section in his own or in an affiliated store.

(4) "Wholesaler's selling price" means the price appearing on the wholesaler's invoice to the retailer less all allowable discounts except cash discounts up to 8%.

(5) "Manufacturing-wholesaler" means a wholesaler who has made for him from materials owned by him, articles for sale to a retailer.

(6) "Manufacturing-retailer" means a retailer who has made for him from materials owned by him, articles for sale to an ultimate consumer.

This amendment shall become effective as follows:

(a) As to section 21 (d) (1) as of October 1, 1943.

(b) As to section 48 as of September 25, 1943.

(c) As to section 52 as of September 27, 1943.

(d) As to section 53 as of October 6, 1943, except as follows with respect to sales at retail of articles in inventory as of October 6, 1943: Such articles need not be priced under this section until December 6, 1943: *Provided*, That any such article which is the same or similar to an article received in inventory after October 6, 1943 shall not be sold at a price higher than the maximum price established by this section for such new article. For the purposes of this provision one article shall be deemed "similar" to another article if the first has the same use as the second, affords the purchaser fairly equivalent serviceability, and belongs to a type which would ordinarily be sold in the same price line. In determining the similarity of such article, differences merely in style or design which do not substantially affect use, or serviceability, or the price line in which such articles would ordinarily have been sold, shall not be taken into account.

NOTE: The record and reporting provisions of this amendment have been approved by the Bureau of the Budget according to the Federal Reports Act of 1942.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17040; Filed, October 21, 1943; 5:06 p. m.]

PART 1439—UNPROCESSED AGRICULTURAL
COMMODITIES

[MPR 468, Amdt. 1]

BROOM CORN

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith has been filed with the Division of the Federal Register.*

Maximum Price Regulation 468 is amended in the following respects:

1. Section 1 (a) is amended to read as follows:

(a) On and after October 19, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person, in the course of trade or business, shall buy or receive for his own account or for the account of another any broom corn at prices higher than the maximum prices established by this regulation, and no person shall agree, offer, solicit or attempt to do any of these things.

2. Section 2 (a) is amended to read as follows:

(a) *What products and transactions are covered by this regulation.* This regulation applies to all purchases and sales of broom corn, except that the provisions of this regulation do not apply to the purchase, sale or delivery of broom corn produced outside of the continental United States.

3. Section 3 is amended to read as follows:

SEC. 3. *Producer's maximum prices.* (a) Subject to the provisions of paragraph (b) of this section, the following are the maximum prices applicable to sales and deliveries of broom corn by the producer thereof:

Type of broom corn:	Price per ton
Shed cured broom corn.....	\$300.00
All other broom corn.....	250.00

The above maximum prices are net cash, f. o. b. shipping point. The term "shipping point" means the producer's farm, warehouse or other point at which the broom corn is loaded on any conveyance for shipment from the producer to the purchaser.

The term "producer" means a person who grows or raises broom corn. It shall include a landlord or landowner with respect to sales of broom corn received by him as rental for the land upon which the broom corn was produced.

Sales on a delivered basis. If the producer sells broom corn on a delivered basis, a delivered price in excess of the applicable maximum price f. o. b. shipping point specified in this paragraph (a) may be charged, consisting of such maximum price plus: (1) if the shipment is made in a vehicle owned or controlled by the producer, an amount not to exceed the lowest available commercial carrier rate for an identical shipment; or (2) if the shipment is made by a common or contract carrier, the amount actually paid to the carrier for the shipment: *Provided*, That an invoice or other memo-

randum shall be furnished to the purchaser, or his agent or representative, by the producer, separately stating: (1) the quantity of broom corn delivered; (2) whether or not the broom corn is shed cured; (3) the shipping point and the point of delivery; (4) the price charged; and (5) a statement of the amount paid to the carrier if the shipment is made by a common or contract carrier, or, if shipment is made in a conveyance owned or controlled by the producer, the freight charges for an identical shipment at the lowest available commercial carrier rate.

(b) *Brokers' commissions.* In the event that a buyer of broom corn employs a broker to purchase broom corn from the producer thereof for the account of the buyer and to receive and ship such broom corn on his behalf, a brokerage commission of not to exceed \$15.00 per ton of broom corn may be charged for such service. The buyer may pay this commission for such service in addition to the maximum price for the broom corn established by this section 3. In no event may any person charge or receive a brokerage commission on broom corn sold for his own account or on broom corn purchased at a price in excess of the permissible maximum price. The broker making such charge to the purchaser may employ the services of another broker or agent in making the purchase and divide the brokerage fee with the latter: *Provided*, That, regardless of the number of brokers involved in the purchase, the total commission charged to the purchaser with respect to any lot of broom corn shall not exceed \$15.00 per ton.

No additional service charge or other charge shall be added by the broker except in accordance with the following: If the broker performs the service of hauling the broom corn from the producer's shipping point to some other point at the request of the buyer, using a conveyance owned or controlled by the broker, an amount may be added for such service not to exceed the lowest available commercial carrier rate for an identical shipment. If the broker secures a common or contract carrier to haul the broom corn, and pays for such service, the amount actually paid to the carrier for hauling the broom corn may be added; *Provided*, That, every broker making delivery to the purchaser of the broom corn shall furnish the purchaser with an invoice or other memorandum stating: (1) the quantity of broom corn purchased; (2) the name and address of the producer; (3) whether or not the broom corn is shed cured; (4) the purchase price; (5) the brokerage commission charged; (6) the hauling charges, if any, added; and (7) the amount advanced, if any, by the broker, in payment for the broom corn.

4. Section 9 is added to read as follows:

SEC. 9. *Maximum prices for sales by persons other than producers of broom corn.* Maximum prices for all sales and deliveries of broom corn by persons other than the producer of the broom corn are established by this section.

(a) *Sales for shipment direct from point of origin.* The maximum prices

applicable to sales of broom corn shipped direct from point of origin to the purchaser shall be:

Type of broom corn:	Price per ton
Shed cured broom corn.....	\$322.50
All other broom corn.....	272.50

The above prices are net cash, f. o. b. point of origin, loaded on railroad car, truck or other conveyance. The term "point of origin" means, in case shipment to the purchaser is made by rail, the point at which the broom corn is loaded on the railroad car, or, in case shipment is made by truck or other conveyance, the railroad shipping point nearest to the farm on which the broom corn was produced.

Any sale by a person other than the producer of broom corn shall, for the purpose of this regulation, be considered a sale for shipment direct from point of origin if the broom corn is shipped direct from the area of production without having entered a warehouse for the purpose of storage for the account of the seller.

Sales on a delivered basis. If broom corn is sold on a delivered basis for shipment direct from point of origin, a delivered price in excess of the applicable maximum price f. o. b. point of origin specified above may be charged, consisting of such maximum price plus the amount actually paid to the carrier, if shipment is made by a common or contract carrier, or, if shipment is made in a conveyance owned or controlled by the seller, an amount not to exceed the lowest available commercial carrier rate for an identical shipment; *Provided*, That, the invoice or other memorandum delivered to the purchaser shall state, in addition to the information required by paragraph (c) of this section, the amount paid to the carrier if shipment is made by common or contract carrier, or, if shipment is made by a conveyance owned or controlled by the seller, the freight charges for an identical shipment at the lowest available commercial carrier rate.

(b) *Other sales.* The maximum prices applicable to all sales of broom corn other than the sales provided for in section 3 and in paragraph (a) of this section 9 shall be:

Quantity shipped or delivered at one time	Shed cured broom corn	All other broom corn
	(Price per ton)	(Price per ton)
14,000 lbs. and over.....	\$337.50	\$287.50
3,000 lbs. to 13,999 lbs.....	347.50	297.50
Under 3,000 lbs.....	360.00	310.00

The above maximum prices are net cash, f. o. b., point of delivery of the broom corn to a carrier for shipment to the purchaser, loaded on railroad car, truck or other conveyance. Freight from the producing district to this point of delivery to a carrier may be added to these prices in accordance with the following:

(1) In the case of sales for delivery in carload quantities, freight from the actual point of origin of the broom corn at the carload rail rate: *Provided*, That, if the seller makes use of a storage-in-transit privilege in shipping the broom corn to the purchaser, the seller shall give the purchaser the benefit of the

*Copies may be obtained from the Office of Price Administration.

18 F.R. 12514.

storage-in-transit rate from the point of origin of the broom corn.

(2) In the case of sales for delivery in less-than-carload quantities, freight at the less-than-carload rail rate from the point specified below may be added:

(i) For broom corn produced in State of Colorado, Springfield, Colorado.

(ii) For broom corn produced in the State of Illinois, Mattoon, Illinois.

(iii) For broom corn produced in the State of Kansas, Hugoton, Kansas.

(iv) For broom corn produced in the State of New Mexico, Melrose, New Mexico.

(v) For broom corn produced in the Lindsay District of Oklahoma, Lindsay, Oklahoma.

(vi) For broom corn produced in the Western Oklahoma District, Woodward, Oklahoma.

(vii) For broom corn produced in the North Texas District, Texline, Texas.

(viii) For broom corn produced in the South Texas District, Devine, Texas.

(ix) For broom corn produced in any other state the actual point of origin of the broom corn.

Sales on a delivered basis. If broom corn is sold on a delivered basis, a delivered price in excess of the applicable maximum price f. o. b. point of delivery to a carrier set forth above may be charged, consisting of such maximum price plus the amount actually paid to the carrier, if delivery is made by common or contract carrier, or, if delivery is made by a vehicle owned or controlled by the seller, an amount not to exceed the lowest available commercial carrier rate for an identical shipment: *Provided*, That, the invoice or other memorandum delivered to the purchaser shall state, in addition to the information required by paragraph (c) of this section, the amount paid to the carrier if shipment is made by a common or contract carrier, or, if shipment is made by a conveyance owned or controlled by the seller, the freight charges for an identical shipment at the lowest available commercial carrier rate.

(c) **Invoices.** Every seller shall, with respect to every delivery of broom corn for which a maximum price is established by this section 9, deliver to the purchaser thereof an invoice or other memorandum stating: (1) the quantity of broom corn delivered; (2) whether or not the broom corn is shed cured; (3) the district of origin of the broom corn; and (4) the price charged.

This amendment shall become effective October 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E. O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

Approved:

MARVIN JONES,
War Food Administrator.

[F. R. Doc. 43-17039; Filed, October 19, 1943; 5:01 p. m.]

PART 1499—COMMODITIES AND SERVICES

[Rev. Order 333, under 3 (b)]

B. F. TRAPPEY'S SONS, INC.

An opinion accompanying this revised order has been issued simultaneously herewith. Order No. 333 under § 1499.3 (b) of the General Maximum Price Regulation is revised and amended to read as set forth below:

§ 1499.1769 *Authorization of maximum prices for sales of dehydrated cut okra, in 1½ ounce cellophane packages by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana.* (a) On and after October 20, 1943, the maximum price for sales by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana, of dehydrated cut okra packed in 1½ ounce cellophane packages shall be \$.75 per dozen f. o. b. New Iberia, Louisiana.

(b) Wholesale grocers shall determine their maximum price for dehydrated cut okra packed in 1½ ounce cellophane packages by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana, in accordance with the provisions of Maximum Price Regulation No. 421.

(c) Retail grocers shall determine their maximum prices for dehydrated cut okra packed in 1½ ounce cellophane packages by B. F. Trappey's Sons, Incorporated, New Iberia, Louisiana, in accordance with the provisions of Maximum Price Regulations Nos. 422 and 423.

(d) The applicant, B. F. Trappey's Sons, Incorporated, shall not change its customary allowances, discounts, or price differentials unless such change results in a lower price.

(e) This Revised Order No. 333 may be revoked or amended by the Price Administrator at any time.

(f) Unless the context otherwise requires the definitions set forth in § 1499.20 of the General Maximum Price Regulation and section 302 of the Emergency Price Control Act of 1942, as amended, shall apply to terms used herein.

(g) This Revised Order No. 333 (§ 1499.1769) shall become effective October 20, 1943.

(56 Stat. 23, 765; Pub. Laws 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN
Administrator.

[F. R. Doc. 43-17029; Filed, October 19, 1943; 5:05 p. m.]

PART 1305—ADMINISTRATION

[Supp. Order 50, Amdt. 1]

ADJUSTABLE PRICING IN CERTAIN MAXIMUM PRICE REGULATIONS ON LUMBER AND LUMBER PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

18 F.R. 10568.

has been filed with the Division of the Federal Register.*

Supplementary Order 50 is amended in the following respects:

1. Section 1305.70 (a), in the first complete sentence following the paragraph heading "*Adjustable pricing*", wherever the word "delivery" appears, the word "shipment" is substituted in lieu thereof.

2. Section 1305.70 (b), in the tabulation of "section" and "regulation" numbers, the following are inserted:

Section:	Regulation
12 (e) -----	222
16 -----	402
15 -----	412
11 -----	424
6 -----	432
9 -----	434
7 -----	454
6 -----	458
11 (d) -----	467

This amendment shall become effective October 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17070; Filed, October 20, 1943; 11:48 a. m.]

PART 1305—ADMINISTRATION

[Supp. Order 77]

PROHIBITION AGAINST SERVICE COMMISSIONS IN CERTAIN MAXIMUM PRICE REGULATIONS AND REVISED MAXIMUM PRICE REGULATIONS GOVERNING LUMBER

A statement of the considerations involved in the issuance of this Supplementary Order has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, including section 201 (d) thereof, it is hereby ordered, that:

In § 1305.209 *Prohibition against service commissions in certain regulations and revised regulations governing lumber*:

1. The prohibition against certain service commissions in the specified paragraph of each maximum price regulation or revised maximum price regulation listed in paragraph (b) of this order is amended to read as follows:

It is unlawful for any person to charge, receive or pay a commission for the service of procuring (including buying, selling, or locating lumber, or for any related service such as "expediting") which does not involve actual physical handling of lumber, if the commission plus the purchase price results in a total payment by the buyer of lumber which is higher than the maximum price of the lumber. For purposes of this regulation, a commission is any compensation, however designed,

*Copies may be obtained from the Office of Price Administration.

nated, which is paid for the procurement of lumber. This prohibition has no application to the case of a bona fide employer-employee relationship where the employee serves only one employer, insofar as lumber procurement is concerned, and where the compensation paid by the employer is a fixed salary and is not based directly or indirectly on the quantity, price or value of the lumber in connection with which the service is rendered.

2. The numbers of the paragraphs or sections containing the prohibitions against certain service commissions which are amended by this order and the applicable maximum price regulations or revised maximum price regulations, are as follows:

Section:	Regulation No.
16 (c).....	26
1381.506 (c).....	94
1382.105 (d).....	97
1312.354 (c).....	109
1382.4 (c).....	146
1382.54 (c).....	155
1384.4 last paragraph.....	176
19.....	215
1382.154 (c).....	223
1381.404 (d).....	253
1382.205 (c).....	281
1381.456 (c).....	290
16 (c).....	368
15 (c).....	402
14 (c).....	412
11 (c).....	467

This supplementary order shall become effective October 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 20th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17069; Filed, October 20, 1943;
11:48 a. m.]

PART 1339—BURLAP AND BURLAP PRODUCTS

[RPS 18, Amdt. 4]

BURLAP

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Price Schedule 18 is amended in the following respects:

1. Section 1339.1 is amended to read as follows:

§ 1339.1 *Sales of burlap at higher than maximum prices prohibited.* On and after October 25, 1943, regardless of any contract or other obligation, no person shall sell or deliver and no person, in the course of trade or business, shall buy or receive any burlap at prices higher than the maximum prices established by this Revised Price Schedule No. 18, and

no person shall agree, offer or attempt to do any of these things.

2. Section 1339.2 is amended to read as follows:

§ 1339.2 *Less than maximum prices.* Prices lower than the maximum prices may be charged and paid.

3. Section 1339.4 is hereby revoked and a new § 1339.4 is added to read as follows:

§ 1339.4 *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by the official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

4. Section 1339.6 is added to read as follows:

§ 1339.6 *Effect of Supplementary Order No. 73.* The provisions of Supplementary Order No. 73⁸ issued by the Office of Price Administration shall not apply to any sale or delivery of damaged burlap of the constructions enumerated in this Revised Price Schedule No. 18.

5. Section 1339.9 (b) is amended to read as follows:

(b) "Burlap" means jute burlap (whether new, second hand, damaged or resealed) of the constructions enumerated in this Revised Price Schedule No. 18, when either (1) in the United States available for immediate delivery or (2) aboard vessels en route to the United States.

6. Section 1339.11, Appendix A, is amended by adding at the end of the headnote as a part of the headnote the following phrase "except for sales and deliveries by Defense Supplies Corporation."

7. Section 1339.12 is added to read as follows:

§ 1339.12 *Appendix B: Maximum prices for sales of burlap by Defense Supplies Corporation.* Maximum prices per yard, ex dock, purchaser's normal port of entry.

⁸ F. R. 13293.

CONSTRUCTION

Quality of burlap	Width (inches)	Weight (ounces per yard of 40" width)	Cents
Common burlap.....	38	5	6.10
	37	5	9.10
	36	5	9.30
	35	7	6.95
	34	7	7.80
	33	7	8.45
	32	7	9.50
	31	7 $\frac{1}{2}$	7.05
	30	7 $\frac{1}{2}$	7.05
	29	7 $\frac{1}{2}$	7.90
	28	7 $\frac{1}{2}$	8.60
	27	7 $\frac{1}{2}$	9.75
	26	7 $\frac{1}{2}$	10.65
	25	7 $\frac{1}{2}$	11.05
	24	7 $\frac{1}{2}$	11.45
	23	7 $\frac{1}{2}$	11.80
	22	7 $\frac{1}{2}$	12.45
	21	7 $\frac{1}{2}$	13.10
	20	8	6.45
	19	8	7.40
	18	8	8.25
	17	8	9.10
	16	8	10.20
	15	8	11.05
Special finishes: Double calendered.....	14	8	12.25
	13	8	13.50
	12	9	8.45
	11	9	9.35
	10	9	10.35
	9	9	12.40
	8	10	8.05
	7	10	8.95
	6	10	9.30
	5	10	10.40
	4	10	10.65
	3	10	11.35
	2	10	12.80
	1	10	13.75
	1	10	15.55
	1	10	17.25
	1	10	22.30
	1	10 $\frac{1}{2}$	10.75
	1	10 $\frac{1}{2}$	11.80
	1	11	12.20
	1	11 $\frac{1}{2}$	12.55
	1	12	11.20
	1	12	12.35
	1	12	13.60
	1	12	15.55
	1	12	16.55
	1	12	20.90
	1	12	25.15
	1	14	16.40
	1	14	19.85
	1	16	23.50
Cropped and mangled.	36	10	11.65
	40	10	12.90
	48	10	15.45
	36	10 $\frac{1}{2}$	11.90
	40	10 $\frac{1}{2}$	13.20
	48	10 $\frac{1}{2}$	15.80
	40	11	13.45
	45	11	15.15
	48	11	16.20
	57	11	19.20
	40	11 $\frac{1}{2}$	14.00
	48	11 $\frac{1}{2}$	16.80
	40	14	16.75
	44	15	18.25
	36	10	11.90
	40	10	13.15
	36	10 $\frac{1}{2}$	12.15
	40	10 $\frac{1}{2}$	13.45
	40	11	13.70
	36	12	12.85
	40	12	14.75
	45	12	16.45
	40	14	17.00
	44	15	18.55

If the burlap is supplied to the purchaser from a point other than the purchaser's normal port of entry, or at the purchaser's normal port of entry in a less-than-carload quantity, an adjustment shall be made in the price charged so that the total of the price charged for the burlap plus the applicable rail freight (exclusive of the federal tax on transportation) from such point to the city or town in which the purchaser's plant is located does not exceed the sum of the applicable price set forth in the table above plus rail freight at the carload im-

*Copies may be obtained from the Office of Price Administration.

⁷ F. R. 1241, 1600, 1836, 2000, 2132, 5138, 6385, 7435.

port rate (exclusive of the federal tax on transportation) chargeable for an identical shipment from the purchaser's normal port of entry to the city or town in which the purchaser's plant is located.

Terms of sale shall be net cash and the prices include all charges for duty, ocean freight and marine and war risk insurance.

The term "purchaser's normal port of entry" means the burlap port of entry having the lowest carload import rail rate to the city or town in which the purchaser's plant is located.

This amendment shall become effective October 25, 1943.

(56 Stat. 23, 765, Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17025; Filed, October 19, 1943; 5:06 p. m.]

PART 1351—FOOD AND FOOD PRODUCTS [MPR 289, Amdt. 14]

DAIRY PRODUCTS

A statement of the considerations involved in the issuance of this amend-

ment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Section 1351.1522 of Maximum Price Regulation 289 is amended in the following respects:

1. Paragraph (a) (1) is amended to read as follows:

(1) By manufacturers and wholesalers to the United States Government or any agency thereof, f. o. b. manufacturer's plant, located:

	Spray process (cents per lb.)	Roller process (cents per lb.)
In Zone A.....	14½	12½
In Zone B.....	14½	12½
In Zone C.....	15	13
In Zone D.....	15½	13½

2. Paragraph (a) (2) is redesignated paragraph (a) (3) and is amended to read as follows:

(3) By wholesalers and by manufacturers for deliveries to any consumer other than the United States Government or any agency thereof:

For deliveries in—	Spray process (cents per lb.)				Roller process (cents per lb.)			
	Carload	25 bbls. or more l. c. l.	5 to 25 bbls.	1 to 4 bbls.	Carload	25 bbls. or more l. c. l.	5 to 25 bbls.	1 to 4 bbls.
Zone A.....	15½	16	16½	16½	13½	14	14½	14½
Zone B.....	15½	16½	16½	16½	13½	14½	14½	14½
Zone C.....	16	16½	16½	17	14	14½	14½	15
Zone D.....	16½	16½	17	17½	14½	14½	15	15½

3. Paragraph (a) (3) is redesignated paragraph (a) (4).

4. Paragraph (a) (4) is redesignated paragraph (a) (5).

5. Paragraph (a) (5) is redesignated paragraph (a) (6).

6. Paragraph (a) (6) is redesignated paragraph (a) (7).

7. A new paragraph (a) (2) is added to read as follows:

(2) Manufacturers or others who are designated as "authorized receivers" of bulk powdered skim milk by the Food Distribution Administration, may add an amount not to exceed ½¢ per pound to the maximum base prices established by immediately preceding paragraph (a) (1) on all such sales of bulk powdered skim milk which has been purchased and assembled for resale to the United States government or its agencies from other manufacturers, none of whom are themselves authorized receivers, or are in any way affiliated with any authorized receiver. This permitted increase may also be added by the authorized receiver as to any sale to the United States government or its agencies of bulk powdered

skim milk, however obtained, if the total² of all amounts sold by him, including the amount of the instant sale, at the increased price does not exceed the total² amount of bulk powdered skim milk he has so purchased and assembled. In no event, however, may the permitted increase be added unless the authorized receiver shall furnish the purchaser at the time of sale a written statement certifying to the names and locations of the manufacturing plants at which the bulk powdered skim milk being sold was manufactured; the total² amount of bulk powdered skim milk which has been purchased and assembled for sale to the United States government or its agencies from other manufacturers who are not authorized receivers and are not in any way affiliated with any authorized receiver; and the total² amount of bulk powdered skim milk sold, including the instant sale, at the permitted increase.

This amendment shall become effective October 19, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17026; Filed, October 19, 1943; 5:05 p. m.]

² These totals are to be figured from the effective date of this amendment.

PART 1377—WOODEN CONTAINERS

[MPR 481]

KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

In the judgment of the Price Administrator, the maximum prices established by this regulation are and will be generally fair and equitable and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328. Standards and grade specifications used in this regulation have been accepted and were in general use within the industry prior to the issuance of this regulation. A statement of the considerations involved in the issuance of this regulation has been issued simultaneously herewith and has been filed with the Division of the Federal Register.*

§ 1377.303 *Maximum prices for knife-cut slack staves, slack heading and slack cooperage.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Orders Nos. 9250 and 9328, Maximum Price Regulation No. 481 (Knife-Cut Slack Staves, Slack Heading and Slack Cooperage) which is annexed to and made a part hereof, is hereby issued.

AUTHORITY: Section 1377.303 issued under 56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681.

MAXIMUM PRICE REGULATION NO. 481—KNIFE-CUT SLACK STAVES, SLACK HEADING AND SLACK COOPERAGE

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

Sec.

1. Prohibition against dealing in knife-cut slack staves, slack heading or slack cooperage at prices above the maximum.
2. Less than maximum prices.
3. Transactions and products covered.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

4. Maximum prices for knife-cut slack staves and slack heading.
5. Maximum prices for slack cooperage.
6. Products not specifically priced.
7. Delivered prices.
8. Prohibited practices.

ARTICLE III—MISCELLANEOUS

9. Adjustable pricing.
10. Application for adjustment or petition for amendment.
11. Records.
12. Licenses.
13. Registration.
14. Enforcement.
15. Relation to other regulations.

ARTICLE I—PROHIBITIONS AND SCOPE OF REGULATION

SECTION 1. *Prohibition against dealing in knife-cut slack staves, slack heading or slack cooperage at prices above the maximum.* On and after the effective date of this regulation, regardless of any contract or other obligation, no person shall sell or deliver, and no person shall buy or receive knife-cut slack staves, slack heading or slack cooperage covered by this regulation at prices higher than the maximum prices fixed by this regulation, and no person shall agree, offer or attempt to do any of these things.

*Copies may be obtained from the Office of Price Administration.

¹ 7 F.R. 10996; 8 F.R. 490, 1458, 1885, 1972, 3252, 3327, 4335, 4513, 4337, 4338, 4918, 6440, 7566, 7593, 8276, 8751, 9380, 9229, 10667, 11245.

SEC. 2. *Less than maximum prices.* Nothing in this regulation shall prevent the sale of the products covered at less than maximum prices.

SEC. 3. *Transactions and products covered.* (a) *Transactions covered.* This regulation covers any and all sales and purchases, within the continental limits of the United States, whether from a factory, warehouse, or dealer, by any person, whether manufacturer, dealer, wholesaler or user, of any of the products covered by this regulation.

(b) *Products covered.* The term "knife-cut slack staves" as used in this regulation includes all hardwood slack staves which have been knife-cut and jointed and which were produced in any of the following states: Alabama, Arkansas, Florida, Georgia, Illinois, Kentucky, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, or Virginia.

The term "slack heading," as used in this regulation, includes slack heading more than 12½" and less than 24" in diameter sawed from pine or hardwood, kiln-dried and circled, and produced in any of the states listed in the preceding paragraph.

The term "slack cooperage," as used in this regulation, includes any barrel or keg made entirely from the staves and heading covered by this regulation.

ARTICLE II—MAXIMUM PRICES AND TERMS OF SALE

SEC. 4. *Maximum prices for knife-cut slack staves and slack heading.* (a) *Factory or mill sales.* In direct factory sales of more than 6,000 pounds, that is, sales made by the producing factory, the maximum prices, f. o. b. mill or railroad, for knife-cut slack staves and slack headings are those contained in the Tables I and II below:

TABLE I.—SLACK STAVES, KNIFE CUT, HARDWOOD, AIR DRIED, JOINTED, PER M GRADING RULE AVERAGE MEASUREMENT

(F. o. b. mill or railroad)

	Mill Run	#1	#2 and lower ²
All hardwood species except Ash			
#1:			
Over 30" through 34".....	\$22.50	\$24.50	\$20.50
28" through 30".....	19.00	21.00	17.00
26" to 28".....	17.00	19.00	15.00
Over 18" to 23".....	14.00	16.00	12.00
18" and under.....	11.00	13.00	9.00
Ash #1:			
100% white butter tub stock, 30".....		25.00	-----
Red butter tub stock 30".....		22.00	-----
Woods Run butter tub stock, 30".....		24.00	-----

¹ Individually or mixed.

² Except mouldy, mildewed and stained.

³ Must contain at least 66% all white.

NOTES:

A. Allowable additions to maximum prices for staves per M:

1. Kiln drying to 7% or less..... \$1.50
2. Tongue and groove through 30"..... 2.00
- over 30" through 34"..... 2.50

B. The maximum price for mouldy, mildewed and/or stained staves is \$1.00 per M less than the regular grade. In #2, this is an exception to the grading rule.

TABLE II.—PINE HEADING SAWED, KILN DRIED, PLANED ONE SIDE, STRAIGHT JOINTED, CIRCLED, BUNDLED, PER SET (F. o. b. MILL OR RAILHEAD)

Diameter	#1	MR	#2
12½" to 13" x 1½".....	\$0.10	\$0.09	\$0.08
13" to 14" x 1½".....	.11	.10	.09
14" to 15" x 1½".....	.135	.125	.115
15" to 16" x 1½".....	.15	.14	.13
16" to 17" x 1½".....	.16	.15	.14
17" to 18" x 1½".....	.175	.165	.155
18" to 19" x 1½".....	.18	.17	.16
19" to 19½" x 1½".....	.19	.18	.17
19½" to 20" x 1½".....	.20	.19	.18
20" to 21" x 1½".....	.22	.21	.20
21" to 22" x 1½".....	.25	.24	.23
22" to 23" x 1½".....	.28	.27	.26
23" through 24" x 1½".....	.37	.36	.35

Planed 2 sides add 2¢ per set.

Square edge heading.....	Per C sets
Hardwood heading.....	Per C sets

For additional thicknesses all sizes and species	Percent
1½".....	10
2".....	20
2½".....	50
3".....	75
3½".....	100

Add for tongue, groove and glued

	Pine	Hardwood
12½" to 16".....	\$0.02½	\$0.03
16" to 18".....	.03	.03½
18" to 20".....	.03½	.04
20" to 22".....	.04	.04½
22" through 24".....	.05	.05½

On shipments of staves and/or headings of 6,000 pounds or less from a producing factory, a mark-up of 10 percent may be added to the maximum prices contained in the schedule;

(b) *Warehouse sales.* In warehouse sales the maximum prices for knife-cut slack staves and slack headings shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up on the same items in March 1942 plus average inbound freight from the producing factory to the warehouse.

As used in this regulation a "warehouse sale" is a sale in which shipment or delivery is made from an established storage or distribution place located and operated independently of the producing mill or factory. No shipment from a stove or heading mill may be considered a "warehouse sale".

Average inbound freight is to be weighted by the quantity in the warehouse at the time of making the computation. The average must be figured at least once each month, and must be used in computing prices during the succeeding month.

As used in this regulation the term "warehouseman" is one who maintains an established storage or distribution place, located and operated independently of a producing mill or factory and from which shipments of cooperage stock are made.

(c) *Sales by dealers or merchants.* In sales by dealers or merchants of purchased stock the maximum prices for

knife-cut slack staves and/or slack headings shall be the maximum f. o. b. producing factory price for a similar sale plus the following mark-ups:

Staves.....	Per M
Heading.....	Per C sets
15" and less in diameter.....	\$0.25
Over 15" to 17½" in diameter.....	.35
17½" and over in diameter.....	.50

As used in this regulation the term "dealer or merchant" is one who, although he does not take actual physical possession, buys, takes title to, resells, and assumes credit risks and responsibility for grade and count. No producer may qualify as a dealer or merchant under this regulation of products which he has produced.

SEC. 5. *Maximum prices for slack cooperage.* (a) *Factory or mill sales.* The maximum f. o. b. factory price of any slack barrel covered by this regulation shall be the producer's f. o. b. factory price as established by the General Maximum Price Regulation for the same barrel plus actual increase in the cost of the materials used in the barrel, plus 5 cents per barrel.

(b) *Warehouse sales.* In warehouse sales the maximum prices for slack cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the warehouseman's average percentage mark-up in March 1942 plus average inbound freight actually paid or incurred by the warehouseman (computed in accordance with section 4 (b)). A warehouse sale is defined in section 4 (b).

(c) *Sales by dealers or merchants.* In sales by dealers or merchants the maximum prices for slack cooperage covered by this regulation shall be the maximum f. o. b. producing factory price plus the seller's average percentage mark-up on such sales in March 1942. Dealers or merchants are defined in section 4 (c).

SEC. 6. *Products not specifically priced.* Any person desiring to sell on the domestic market any product covered but not specifically priced by the regulation and for which he cannot determine an f. o. b. mill price under the regulation, shall make application to the Lumber Branch, Office of Price Administration, Washington, D. C., for a price. The application must contain a complete description of the product to be priced, the applicant's March 1942 selling price of the product if he sold such product at that time, his requested selling price and his method of arriving at this price. Products may be sold and delivered at the requested selling price, pending approval of a price by this Office subject, however, to adjustment to the price finally approved. Prices not disapproved within 20 days from the receipt of application are approved until specifically revoked.

SEC. 7. *Delivered prices.* If delivery is by common carrier the actual trans-

portation costs paid or incurred by the seller may be added to the basic maximum prices. If shipment is by truck, owned or controlled by the seller, actual transportation costs may be added to the basic maximum prices. Such transportation cost may not exceed 80% of the common carrier charge for the same shipment.

SEC. 8. *Prohibited practices.* Any practice which is a device to get the effect of a higher-than-ceiling price without actually raising the dollars-and-cents price is as much a violation of this regulation as an outright over-ceiling price. This applies to changes in discount practices, devices making use of commissions, services, transportation arrangements, premiums, special privileges, tying agreements, trade understandings, changes in discount practices and the like.

ARTICLE III—MISCELLANEOUS

SEC. 9. *Adjustable pricing.* Any person may agree to sell at a price which can be increased up to the maximum price in effect at the time of delivery; but no person may, unless authorized by the Office of Price Administration, deliver or agree to deliver at prices to be adjusted upward in accordance with action taken by the Office of Price Administration after delivery. Such authorization may be given when a request for a change in the applicable maximum price is pending, but only if the authorization is necessary to promote distribution or production and if it will not interfere with the purposes of the Emergency Price Control Act of 1942, as amended. The authorization may be given by the Administrator or by any official of the Office of Price Administration to whom the authority to grant such authorization has been delegated. The authorization will be given by order, except that it may be given by letter or telegram when the contemplated revision will be the granting of an individual application for adjustment.

SEC. 10. *Applications for adjustment or petition for amendment—(a) Government contracts.* The term "government contracts" is here used to include any contract with the United States or any of its agencies, or with the government or any governmental agency of any country whose defense the President deems vital to the defense of the United States under the terms of the Act of March 11, 1941, entitled "An Act to promote the defense of the United States". It also includes any subcontract under this kind of contract. Any person who has made or intends to make a "government contract" and who thinks that a maximum price established in this regulation is impeding or threatening production of products which are essential to the war program and which are or will be the subject of the contract, may file an application for adjustment in accordance with Procedural Regulation No. 6,¹ issued by the Office of Price Administration.

¹ 7 F.R. 5087, 5664; 8 F.R. 6174, 6175.

(b) *Petitions for amendment.* Any person seeking an amendment of any provisions of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,² issued by the Office of Price Administration.

SEC. 11. *Records.* All persons making sales covered by this regulation must keep records for each sale amounting to \$15.00 or more which will show a complete description of the products sold, the name and address of the buyer, the date of the transaction, and the price. Buyers must keep similar records, including the name and address of the seller. These records must be kept for two years for inspection by the Office of Price Administration.

SEC. 12. *Licenses.* The provisions of Licensing Order No. 1,³ licensing all persons who make sales under price control, are applicable to all sellers subject to this regulation. A seller's license may be suspended for violations of the license or of one or more maximum price regulations. A person whose license is suspended may not, during the period of suspension, make any sale for which his license has been suspended.

SEC. 13. *Registration.* Persons desiring to sell as dealers, merchants or warehousemen, any of the products covered by this regulation must register with the Lumber Branch, Office of Price Administration, Washington, D. C., on or before November 30, 1943, or within 5 days after becoming subject to the regulation. The registration shall be accomplished by filing with the Office of Price Administration a statement of the applicant's qualifications. Every person owning, operating or maintaining more than one place of business shall file a separate registration statement for each place of business. In case a new, additional or different place of business is later established or acquired by a dealer, warehouseman or merchant, such dealer, warehouseman, or merchant shall, within 5 days after establishing or acquiring it, file a registration statement with respect to such new, additional or different place of business.

The Office of Price Administration will issue to each dealer, warehouseman, or merchant registering in accordance with this section a registration certificate which shall be posted at all times in a conspicuous place in the registrant's place of business.

SEC. 14. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Emergency Price Control Act of 1942.

SEC. 15. *Relation to other regulations—(a) General Maximum Price Regulation.* Any sale or delivery covered by this Maximum Price Regulation is not subject to the General Maximum Price Regulation.

² 7 F.R. 8961; 8 F.R. 3313, 3533.

³ 8 F.R. 18240.

⁴ 8 F.R. 3096, 3849, 4347, 4486, 4724, 4848, 4978, 6047, 6962.

(b) *Second Revised Maximum Export Price Regulation.*⁵ The maximum prices for export sales of slack staves and slack heading are governed by the Second Revised Maximum Export Price Regulation.

The effective date of this regulation shall be April 10, 1943.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 20th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17071; Filed, October 20, 1943; 11:49 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[RO 3,¹ Amdt. 96]

SUGAR RATIONING REGULATIONS

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Rationing Order No. 3 is amended in the following respect:

Section 1407.123 (b) is amended by changing the period at the end thereof to a comma and adding the following:

"or to deliveries of raw sugar which is not to be further refined or otherwise improved in quality."

This amendment shall become effective October 25, 1943.

(Pub. Law 421, 77th Cong.; E.O. 9125, 7 F.R. 2719; E.O. 9280, 7 F.R. 10179; WPB Dir. No. 1 and Supp. Dir. No. 1E, 7 F.R. 562, 2965; Food Dir. No. 3, 8 F.R. 2005)

Issued this 20th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17072; Filed, October 20, 1943; 11:48 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS

[Rev. MPR 293,² Amdt. 2]

STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.*

Revised Maximum Price Regulation No. 293 is amended by adding to section 8 the following paragraph:

If the jobber's customary method of pricing is to use a list and a discount sheet, he may shorten his discount by

*Copies may be obtained from the Office of Price Administration.

¹ 8 F.R. 5909, 5846, 6135, 6442, 6626, 6961, 7351, 7380, 8010, 8189, 8678, 8811, 9304, 9458, 10304, 10812, 10937, 11382, 11291, 11292, 11252.

² 8 F.R. 12694.

³ 8 F.R. 4132, 5987, 7662, 9998.

the number of half points which will most nearly approximate the amount (dollars and cents) by which the current net cost of the item exceeds his August 1, 1943 net cost of the same item.

This amendment shall become effective October 26, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 20th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17073; Filed, October 20, 1943;
11:49 a. m.]

Chapter XIII—Petroleum Administration for War

PART 1570—MATERIAL CONSERVATION— PIPE LINES, TERMINALS AND REFINING [PAO 15]

The fulfillment of the requirements for the defense of the United States has created a shortage of materials necessary for the transportation and refining of petroleum for defense, for private account, and for export; and the following order is deemed necessary in the public interest, to promote the national defense, and to provide adequate supplies of petroleum for military and other essential purposes.

§ 1570.1 *Petroleum Administrative Order No. 15—(a) Scope of this order.* The provisions of this order shall be applicable to the use of material in petroleum gathering, movement and refining operations in the United States, its territories or possessions. This order does not apply to tank cars, tank trucks or railroad rolling stock, to tankers, barges or other mobile marine equipment, or to material to be used for "residential construction" or "multiple residential construction" as defined in Limitation Order L-41, issued by the War Production Board.

(b) *Definitions.* (1) "Petroleum gathering and movement" (defined as "transportation" in Preference Rating Order P-98-b) means any operation directly incident to the transportation movement, loading or unloading of petroleum other than natural gas.

(2) "Refining" means any operation directly incident to the processing, reprocessing, or alteration of petroleum, including but not limited to compounding or blending, but not including the extraction or recovery of natural gasoline or associated hydrocarbons.

(3) "Maintenance and repair" means (without regard to accounting practice):

(i) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed.

(ii) Any other use of material not exceeding in material cost \$500 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

(4) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in petroleum gathering and movement or refining and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense.

(5) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, petroleum industry operations by means of research, technical, or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(6) "Material" means any commodity, equipment, accessory, part, assembly, or product of any kind.

(c) *Restrictions on use of material.* No material may be used in petroleum gathering and movement or in refining unless permission to use material is granted by provisions of this order which follow below.

(d) *Permitted uses of material.* Material may be used in petroleum gathering and movement or in refining:

(1) For maintenance and repair purposes, as operating supplies or for laboratory equipment or its installation, notwithstanding any other provision of this paragraph (d).

(2) For the construction, installation, or extension of (or any other similar use of material in connection with) a crude oil gathering line from the first valve on the discharge side of the lease or field shipping tank or battery where petroleum is first gauged to any other petroleum gathering and movement facility or any refining facility, if:

(i) The material cost of any one complete operation is \$3,000 or less; and

(ii) The cost of material originally obtained for maintenance and repair purposes through the use of priorities assistance, used in any single operation, does not exceed \$500; and

(iii) The line does not duplicate in whole or in part the transportation functions of any existing line or lines.

(3) For any construction, expansion, extension, improvement, installation, reconstruction, remodeling or other similar operation in petroleum gathering and movement or in refining, if:

(i) The material cost for any one complete operation is \$3,000 or less; and

(ii) The cost of material originally obtained for maintenance and repair purposes through the use of priorities assistance, used in any single operation, does not exceed \$500; and

(iii) The operation does not include any use of material in connection with a crude oil gathering line.

Where priorities assistance is necessary to obtain more than \$500 worth of material for any single operation mentioned in subparagraphs (d) (2) and (d) (3) above, all priorities assistance must be obtained by filing PAW Form 30 or Form WPB-541 as set forth below.

(e) *Application for authorization to use material.* Where a person wants to

use material in connection with petroleum gathering and movement or refining but cannot do so because of the preceding provisions of this order, he may make an application for authorization to use material by filing PAW Form 30. Form WPB-541 may be used instead of PAW Form 30 to obtain any single item of machinery or equipment, regardless of cost, if that single item of machinery or equipment can be installed with the use of no more than \$500 worth of additional material. The additional material (no more than \$500 worth) may be purchased through the MRO procedure of P-98-b.

If authority to use material requested on PAW Form 30 is approved or if priorities assistance is made available either through PAW Form 30 or Form WPB-541, no further permission will be necessary to use material in the particular operation for which application for authority was made.

(f) *Filing instructions and communications.* Six copies of PAW Form 30 should be prepared. One copy should be retained by the applicant and the original and three copies together with supporting attachments should be sent to the Petroleum Administration for War, Interior Building, Washington 25, D. C. The other copy with attachments should be sent to the District Office of the Petroleum Administration for War for the District in which the work will be done (see Schedule A).

Form WPB-541, used instead of PAW Form 30, should be prepared in triplicate. One copy should be retained by the applicant and the original and the second copy should be sent to the Petroleum Administration for War, Interior Building, Washington 25, D. C.

All communications in connection with PAW Form 30 or Form WPB-541 for petroleum gathering and movement or for refining should be addressed to the Petroleum Administration for War in Washington, Ref: PAO-15.

(g) *Violations.* Any person who willfully violates any provision of this order, or who, by any act or omission, falsifies records kept or information furnished in connection with this order is guilty of a crime and upon conviction may be punished by fine or imprisonment.

Any person who willfully violates any provision of this order may be prohibited from delivering or receiving any material under priority control, or such other action may be taken as is deemed appropriate.

(E.O. 9276, 7 F.R. 10091; E.O. 9125, 7 F.R. 2719; Directive No. 30 of the War Production Board, 8 F.R. 11559; sec. 2 (a), Pub. Law 671, 76th Cong., as amended by Pub. Laws 89 and 507, 77th Cong.)

Issued this 20th day of October 1943.

RALPH K. DAVIES,
Deputy Petroleum
Administrator for War.

INSTRUCTIONS FOR DIRECTING COMMUNICATIONS TO DISTRICT OFFICES

DISTRICT 1: (Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Geor-

gia, Florida, District of Columbia) Direct communications to Petroleum Administration for War; 1104 Chanin Building; 122 East 42nd Street, New York 17, New York. Ref: PAO-15.

DISTRICT 2: (Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota) Direct communications to Petroleum Administration for War; 1200 Blum Building; 624 South Michigan Avenue; Chicago 5, Illinois (or) 410 Beacon Building; 406 South Boulder Avenue; Tulsa 3, Oklahoma. Ref: PAO-15.

DISTRICT 3: (Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico) Direct communications to Petroleum Administration for War; 245 Mellie Esperson Building; Houston 1, Texas. Ref: PAO-15.

DISTRICT 4: (Montana, Wyoming, Colorado, Utah, Idaho) Direct communications to Petroleum Administration for War; 320 First National Bank Building; Denver 2, Colorado. Ref: PAO-15.

DISTRICT 5: (Arizona, California, Nevada, Oregon, Washington, Territories of Alaska or Hawaii) Direct communications to Petroleum Administration for War; 855 Subway Terminal Building; Los Angeles 13, California. Ref: PAO-15.

[F. R. Doc. 43-17062; Filed, October 20, 1943; 10:39 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, War Department

PART 203—BRIDGE REGULATIONS

HATHAWAY BRIDGE, PANAMA CITY, FLA.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U. S. C. 499), the following supplemental regulations are prescribed to govern the operation of the draw of the Florida State Road Department bridge on U. S. Highway No. 98 across St. Andrews Bay (West Bay), near Panama City, Florida:

§ 203.431a. *St. Andrews Bay, West Bay arm, Fla.; bridge of Florida State Road Department, near Panama City, Florida (Hathaway bridge).* (a) For the duration of the war the owner or agency controlling the bridge shall not open the draw between the hours of 7:00 a. m. to 8:00 a. m., and 3:30 p. m., to 4:30 p. m. daily, except as otherwise provided in paragraph (b) of this section.

(b) The draw shall be opened at any time for the passage of a tow or crash boat, or in an emergency. An emergency shall be indicated by four blasts of the signaling device.

(c) The owner of, or agency controlling the bridge shall keep conspicuously posted on both the upstream and downstream sides of the bridge, in a manner that it can easily be read at any time, a copy of these regulations. (Sec. 5, 28 Stat. 362; 33 U. S. C. 499) [Regs. 11 October 1943, CE 823 (St. Andrews Bay-West Bay-Panama City, Fla.)—SPEKH]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-17057; Filed, October 20, 1943; 9:26 a. m.]

PART 207—NAVIGATION REGULATIONS

WATERS OF THE GULF OF MEXICO

Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U.S.C. 1), § 207.180 is hereby amended as follows:

§ 207.180 *All waterways tributary to the Gulf of Mexico (except the Mississippi River and its tributaries) from St. Marks, Fla., to the Rio Grande; use, administration, and navigation.* * * *

Locks and Floodgates: All Government owned or operated locks and appurtenant structures in any of the above-described waterways, and the floodgates in the Intracoastal Waterway at the Brazos River Crossing and the Colorado River Crossing, Texas, at miles 410 and 450.5 respectively, west of Harvey Lock, Louisiana.

(a) *Authority of district engineers.* The use, administration, and navigation of the above-described waterways, Federal locks, and floodgates shall be under the direction of the officers of the Corps of Engineers, United States Army, detailed in charge of the respective sections, and their authorized assistants. The cities in which the U. S. District Engineers are located and the limits of their jurisdiction, are as follows:

(b) *Commercial statistics.* * * *

(3) Reports may be submitted on forms furnished free of charge by the district engineer. They shall be presented to the lockmaster at any of the Federally operated locks, the gate tender at either of the Federally operated floodgates, or the bridge tender at any of the bridges operated by the War Department, for each trip made. Where no Federally operated locks, floodgates, or bridges are passed, they shall be mailed promptly to the district engineer. On written request, persons or corporations making frequent use of these waterways may be granted permission to submit monthly statements in lieu of reports by trips.

(d) *Locks and floodgates—(1) Authority.* The locking of all vessels and rafts and their movements while in a lock, or in the approaches thereto, shall be under the direction of the lockmaster. The term "lockmaster" as used in these regulations, shall mean the lock official present who is in charge of the operation of the lock. Passage through floodgates shall be under the direction of the gate tender.

(2) *Sound signals.* Vessels desiring lockage in either direction shall give notice to the lockmaster, at not more than three-quarters of a mile nor less than one-quarter of a mile from the lock, by three distinct blasts of a horn or whistle each of five seconds' duration, with intervals of five seconds. When the lock is ready for entrance, the lockmaster will indicate permission to enter by one short blast of a horn or whistle. Permission to leave the locks will be indicated by one long blast.

When the floodgates are in operation, vessels desiring to pass through the floodgates in either direction shall sound three distinct blasts of a horn or whistle when

within reasonable hearing distance of the gates. When the gate is open or can be opened immediately the gate tender shall reply by one short blast of a horn or whistle. When the gates cannot be opened immediately or when the gates are open and are to be closed immediately the gate tender shall reply by two long blasts of a horn or whistle.

(3) *Visual signals—(1) Signal lights.* Signal lights will be displayed from sunset to sunrise as follows:

One green light to indicate that the lock or floodgate is in operation and open to approaching navigation.

One red light to indicate that the lock or floodgate is in operation but not open to approaching navigation.

Two green lights to indicate that both lock gates are open and the lock is open for through navigation, or that the floodgate is not in operation but is open to through navigation in either direction.

Two red lights to indicate that the lock or floodgate is not in operation and is not open to navigation.

(ii) *Signal balls.* During daylight hours large balls, of color and number similar to the light signals prescribed for use after dark, will be displayed from a mast on the lock wall or other convenient location and at the site of the floodgates.

(4) *Precedence at locks and floodgates.* Ordinarily, vessels or rafts arriving at the lock or floodgates shall take precedence in order of their arrival, but in all cases vessels belonging to the United States or employed on public work shall have precedence over all others, passenger vessels shall have precedence over freight vessels, and individual vessels over tows or rafts. Small vessels will not be granted separate lockage when larger vessels are awaiting lockage, and they will be required to lock through with other vessels. When two vessels approach the lock from opposite directions at approximately the same time, preference will ordinarily be given to the one for which the lock is prepared. When two vessels approach the floodgates from opposite directions at approximately the same time, the vessel approaching the gates from the river side thereof will ordinarily have the right of way. In all cases, the order of actual entry shall be determined by the lockmaster or gate tender.

(5) *Entrance to and exit from locks and passage through floodgates.* No vessel or raft shall enter or leave the locks or, while the floodgates are in operation, attempt to pass through the floodgates before being signalled to do so. While waiting their turn, vessels or rafts must not obstruct navigation and must remain at a safe distance from the lock or flood gates. Before entering a lock they shall take position in the rear of any vessels or rafts that may precede them, and there arrange the tow for locking in sections if necessary. Masters and pilots of vessels or in charge of rafts shall cause no undue delay in entering or leaving the lock or passing through floodgates upon receiving the proper signal, and will be held to a strict accountability that the approaches are

not at any time unnecessarily obstructed by parts of a tow awaiting lockage or already passed through. They shall provide sufficient men to move through the lock or floodgates promptly without damage to the structures. Vessels or tows that fail to enter the locks or pass through the floodgates with reasonable promptness after being signalled to do so will lose their turn.

(6) *Lockage and passage of vessels.* Vessels shall enter and leave the locks and pass through the floodgates carefully at reduced speed sufficient to prevent any damage to the locks, floodgates, gate walls, or fenders, shall be provided with suitable lines and fenders, shall always use fenders to protect the walls and gates, and when locking at night shall be provided with suitable lights and use them as directed. Vessels shall not meet or pass each other anywhere between the gate walls or fender system at the approaches to the floodgates.

Vessels which do not have a draft of at least three inches less than the depth over sills or breast walls, or which have projections or sharp corners liable to damage gates, walls, or fenders, shall not enter a lock or approaches or pass through floodgates.

No vessel having chains, lines, or drags either hanging over the sides or ends, or dragging on the bottom, for steering or other purposes, will be permitted to pass locks or dams or through floodgates.

Power vessels shall accompany tows through the locks when so directed by the lockmaster.

No vessel whose cargo projects beyond its sides will be admitted to lockage.

Vessels in a sinking condition shall not enter locks, floodgates, or approaches.

The passing of coal from flats or barges to steamers while in the locks is prohibited.

The lockmaster or gate tender may refuse to lock or pass vessels which, in his judgment, fail to comply with these rules.

(h) *Damage.* Masters and owners of vessels using the waterways are responsible for any damage caused by operations in violation of the provisions of these regulations to canal revetments, lock piers and walls, floodgates, bridge fenders, and for displacing or damaging of buoys, stakes, spars, range lights or other aids to navigation. Should any part of a revetment, lock, floodgate, or bridge be damaged, they shall report the fact, and furnish a clear statement of how the damage occurred, to the nearest Government lockmaster, gate tender, or bridge tender, and by mail to the district engineer, U. S. Engineer Office, in local charge of the section of the waterway in which the damage occurred. Should any aid to navigation be damaged, they shall report that fact immediately to the District Coast Guard Officer, New Orleans, Louisiana.

(i) *Trespass on property of the United States.* Trespass on waterway property or injury to the banks, locks, floodgates, bridges, piers, fences, trees, houses, shops,

or any other property of the United States pertaining to the waterway is strictly prohibited. No business, trading or landing of freight or baggage will be allowed on or over Government piers, lock walls, floodgates, or bridges. (Sec. 7, 40 Stat. 266; 33 U.S.C. 1) (Regs. 20 April 1933 (E.D. 7241 (Mexico, Gulf of, Tributaries) 3/1) as amended by Regs. 8 October 1943 (CE 800.215—SPEKH)]

[SEAL]

J. A. ULIO,
Major General,
The Adjutant General.

[F. R. Doc. 43-17058; Filed, October 20, 1943;
9:26 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Subchapter Z—Withdrawals, Restorations, Classifications, Land Transfers, and Executive Orders

[Public Land Order 186]

PART 298—PUBLIC LAND ORDERS

WITHDRAWING PUBLIC LANDS IN NEW MEXICO FOR USE OF WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

§ 298.186 *Public Land Order 186.* Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved for the use of the War Department as an auxiliary landing field and as practice bombing ranges:

NEW MEXICO PRINCIPAL MERIDIAN

T. 20 s., R. 24 E., sec. 4.
T. 26 s., R. 25 E., sec. 1.
T. 24 s., R. 26 E., sec. 34, NW¼, W½SW¼, and SE¼SE¼.
T. 24 s., R. 27 E., sec. 24, NE¼.
T. 26 s., R. 27 E., sec. 9.
T. 21 s., R. 28 E., sec. 34, S½.
T. 22 s., R. 28 E., sec. 3, N½.
T. 20 s., R. 29 E., sec. 21.
T. 21 s., R. 29 E., sec. 23.
T. 26 s., R. 29 E., sec. 23.
T. 19 s., R. 30 E., sec. 20.
T. 22 s., R. 30 E., sec. 19.
T. 25 s., R. 30 E., sec. 18.
T. 20 s., R. 31 E., sec. 28.
T. 21 s., R. 31 E., sec. 11, N½.
T. 25 s., R. 31 E., sec. 22.
T. 26 s., R. 31 E., sec. 26.
T. 25 s., R. 32 E., sec. 34.

The areas described aggregate 9,722.24 acres.

This order shall take precedence over, but not modify (1) the order of April 8, 1935, of the Secretary of the Interior establishing New Mexico Grazing District No. 6, and (2) the Executive Order of March 11, 1936, Potash Reserve No. 6, so far as such orders affect any of the above-described lands.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termina-

tion of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647). Thereupon, jurisdiction over the lands hereby reserved shall be vested in the Department of the Interior, and any other Department or agency of the Federal Government according to their respective interests then of record. The lands, however, shall remain withdrawn from appropriation as herein provided until otherwise ordered.

HAROLD L. ICKES,
Secretary of the Interior.

OCTOBER 11, 1943.

[F. R. Doc. 43-17059; Filed, October 20, 1943;
9:55 a. m.]

[Public Land Order 187]

PART 298—PUBLIC LAND ORDERS

WITHDRAWING PUBLIC LANDS IN IDAHO FOR USE IN CONNECTION WITH PROSECUTION OF THE WAR

By virtue of the authority vested in the President, and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

§ 298.187 *Public Land Order 187.* Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserved under the jurisdiction of the Secretary of the Interior for use in connection with the prosecution of the war:

BOISE BASE MERIDIAN

T. 2 N., R. 30 E.,
Sec. 34, E½E½;
Sec. 35, W½W½.

The areas described aggregate 320 acres.

This order shall take precedence over but not modify the order of the Secretary of the Interior of November 3, 1936, establishing Idaho Grazing District No. 3.

ABE FORTAS,
Acting Secretary of the Interior.

OCTOBER 13, 1943.

[F. R. Doc. 43-17060; Filed, October 20, 1943;
9:55 a. m.]

[Public Land Order 164]

PART 298—PUBLIC LAND ORDERS

WITHDRAWING PUBLIC LANDS IN WASHINGTON FOR USE OF WAR DEPARTMENT

Correction

In F. R. Doc. 43-15260, appearing at page 12823 of the issue for Tuesday, September 21, 1943, the following error should be noted: In the description of lands withdrawn from Township 16 North, Range 24 East, the line reading "Sec. 20, W1/2 SW1/4;" should read "Sec. 26, W1/2 SW1/4;".

TITLE 49—TRANSPORTATION AND
RAILROADSChapter II—Office of Defense
Transportation

[Exemption Order ODT 23-1B]

PART 621—CONSERVATION OF MOTOR
EQUIPMENT—EXCEPTIONS, PERMITS, AND
EXEMPTIONS

TESTING EQUIPMENT

Pursuant to Executive Orders 8989 and 9156, It is hereby ordered, that exemption Order ODT 23-1A is superseded by the following:

§ 521.3600 *Exemption of motor vehicles used in testing.* (a) Any motor vehicle used in testing tires, tubes, fuels, lubricants, coolants, parts, or equipment by the United States or any agency thereof, the District of Columbia, a State or any agency or political subdivision thereof; or by any person designated, authorized, required, or requested to conduct such tests by the military or naval forces of the United States, or State military forces organized pursuant to section 61 of the National Defense Act, as amended; any motor vehicle used in the course of training military or naval personnel in the proper maintenance or servicing of motor vehicles or other equipment of the armed forces; and any motor vehicle used exclusively for the experimental testing of synthetic or natural rubber tires or of petroleum products and the components thereof by manufacturers or producers of such commodities, is hereby exempted from the provisions of General Order ODT 23 (7 F.R. 7694) during the periods such motor vehicle is being so used: *Provided*, There is displayed on such motor vehicle during such operations a triangular pennant (approximately 13 x 19 inches in size) made of a dual thickness of No. 275 white linen (drill) or similar material edged with ¼ inch red cotton bias binding or its equivalent, and upon both sides of which is inscribed in blue the letter "V" (not less than 7½ inches in height) followed by the word "Emergency" (in letters approximately 1 inch in height). Beneath the letter "V" there shall appear in blue lettering the legend "Authorized by the Office of Defense Transportation" (in letters approximately ⅛ inch in height). Such pennant shall be displayed at the front of such motor vehicle by attachment to the front bumper or brackets and centered so that it is approximately midway between the two headlights. It shall be attached by the method most suitable to the particular vehicle and in such a manner as not to interfere with the safe operation of the vehicle but so attached that it can be seen plainly by the public when the vehicle is in operation on any public highway.

(b) The provisions of this exemption order (§ 521.3600) shall not be so construed or applied as to permit any person to drive or operate, or cause, permit, suffer, or allow to be driven or operated, any motor vehicle at a rate of speed which is in excess of the applicable speed limit duly prescribed by other competent public authority.

Exemption Order ODT 23-1A (8 F.R. 2607) is hereby revoked effective on the effective date of this Exemption Order ODT 23-1B.

This Exemption Order ODT 23-1B shall become effective on October 19, 1943.

(E.O. 8989, 9156; 6 F.R. 6725, 7 F.R. 3349)

Issued at Washington, D. C., this 19th day of October 1943.

C. D. YOUNG,
Deputy Director,
Office of Defense Transportation.

[F. R. Doc. 43-17063; Filed, October 20, 1943;
11:08 a. m.]

Notices

NAVY DEPARTMENT.

EMERGENCY MATERNITY AND INFANT CARE
FOR WIVES AND INFANTS OF ENLISTED
MEN IN THE ARMED FORCES

The following States have been added to the list of States and Territories having plans in operation in connection with the program outlined in notices filed with the Division of the Federal Register (8 F.R. 11391, 12574):

Massachusetts.
Oregon.
Pennsylvania.

[ALNAV #172, Oct. 16, 1943]

JAMES FORRESTAL,
Acting Secretary of the Navy.

[F. R. Doc. 43-17067; Filed, October 20, 1943;
11:41 a. m.]

DEPARTMENT OF AGRICULTURE.

Rural Electrification Administration.

[Administrative Order 779]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 5, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Illinois 4040B2 Macoupin.....	\$20,000
Iowa 4009K3 Scott.....	70,000
New York 4020A2 Delaware.....	90,000
Pennsylvania 4020F1 Blair.....	116,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-17005; Filed, October 19, 1943;
4:53 p. m.]

[Administrative Order 780]

ALLOTMENT OF SUMS FOR LOANS

OCTOBER 7, 1943.

Pursuant to section 3 (c) of the Rural Electrification Act of 1936 and upon information and data in the files of the Rural Electrification Administration, I

hereby determine that the number of farms not receiving central station electric service for each state and the number of such farms for the United States at the beginning of the current fiscal year are set forth in the following schedule, and I hereby allot from the sum of \$10,000,000, being fifty per centum of the total sum made available for the current fiscal year, the respective sums for loans in the several States as hereinafter set forth.

	Farms without central station electric service July 1, 1943	Allotment for loans during the fiscal year ending June 30, 1944
United States.....	3,642,699	\$10,000,000
Alabama.....	175,546	481,912
Arizona.....	10,868	29,835
Arkansas.....	180,774	496,294
California.....	17,658	48,475
Colorado.....	28,536	78,338
Connecticut.....	2,863	7,860
Delaware.....	4,094	11,229
Florida.....	42,448	117,078
Georgia.....	148,333	407,206
Idaho.....	11,263	30,919
Illinois.....	100,439	275,727
Indiana.....	58,949	161,828
Iowa.....	105,218	288,846
Kansas.....	117,227	321,814
Kentucky.....	194,994	535,301
Louisiana.....	125,807	345,368
Maine.....	14,780	40,574
Maryland.....	17,675	48,522
Massachusetts.....	4,997	13,718
Michigan.....	36,589	100,445
Minnesota.....	120,551	330,939
Mississippi.....	246,792	677,408
Missouri.....	196,800	538,886
Montana.....	31,523	86,538
Nebraska.....	89,762	246,416
Nevada.....	1,873	5,142
New Hampshire.....	2,954	8,109
New Jersey.....	3,335	9,153
New Mexico.....	27,705	76,056
New York.....	38,338	105,246
North Carolina.....	184,176	505,603
North Dakota.....	68,862	189,041
Ohio.....	59,783	164,117
Oklahoma.....	148,687	408,178
Oregon.....	15,329	42,081
Pennsylvania.....	59,227	162,581
Rhode Island.....	214	587
South Carolina.....	88,458	242,836
South Dakota.....	65,354	179,411
Tennessee.....	187,017	513,402
Texas.....	300,102	823,845
Utah.....	6,111	16,776
Vermont.....	8,882	24,383
Virginia.....	118,785	326,091
Washington.....	16,286	44,709
West Virginia.....	67,082	184,155
Wisconsin.....	80,035	219,713
Wyoming.....	9,918	27,227

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-17006; Filed, October 19, 1943;
4:53 p. m.]

[Administrative Order 781]

ALLOCATION OF FUNDS FOR LOANS

OCTOBER 11, 1943.

By virtue of the authority vested in me by the provisions of section 4 of the Rural Electrification Act of 1936, as amended, I hereby allocate, from the sums authorized by said Act, funds for loans for the projects and in the amounts as set forth in the following schedule:

Project designation:	Amount
Minnesota 4053D3 Waseca.....	\$65,000
Mississippi 4036E2 Marion.....	35,000
Missouri 4050B1 Lafayette.....	100,000
Missouri 4055A2 Cedar.....	20,000
New Mexico 4004D5 Eddy.....	25,000

Project designation—Continued.	Amount
Oklahoma 4026C2 Harmon.....	\$20,000
Texas 4023C3 McCulloch.....	35,000
Texas 4083C3 Fisher.....	30,000
Texas 4088B3 Nueces.....	25,000
Texas 4095D2 Medina.....	30,000
Texas 4107B3 Martin.....	25,000

HARRY SLATTERY,
Administrator.

[F. R. Doc. 43-17007; Filed, October 19, 1943;
4:53 p. m.]

DEPARTMENT OF LABOR.

Wage and Hour Division.

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rate applicable under section 6 of the Act are issued under section 14 thereof, Part 522 of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862, and as amended June 25, 1942, 7 F.R. 4725), and the determination and order or regulation listed below and published in the FEDERAL REGISTER as here stated.

Apparel Learner Regulations, September 7, 1940 (5 F.R. 3591), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry, Learner Regulations, July 20, 1942 (7 F.R. 4724), as amended by Administrative Order March 13, 1943 (8 F.R. 3079), and Administrative Order, June 7, 1943 (8 F.R. 7890).

Artificial Flowers and Feathers Learner Regulations, October 24, 1940 (5 F.R. 4203).

Glove Findings and Determination of February 20, 1940, as amended by Administrative Order September 20, 1940 (5 F.R. 3748), and as further amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Hosiery Learner Regulations, September 4, 1940 (5 F.R. 3530), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Independent Telephone Learner Regulations, September 27, 1940 (5 F.R. 3829).

Knitted Wear Learner Regulations, October 10, 1940 (5 F.R. 3982), as amended by Administrative Order, March 13, 1943 (8 F.R. 3079).

Millinery Learner Regulations, Custom Made and Popular Priced, August 29, 1940 (5 F.R. 3392, 3393).

Textile Learner Regulations, May 16, 1941 (6 F.R. 2446), as amended by Administrative Order March 13, 1943 (8 F.R. 3079).

Woolen Learner Regulations, October 30, 1940 (5 F.R. 4302).

Notice of Amended Order for the Employment of Learners in the Cigar Manufacturing Industry, July 20, 1941 (6 F.R. 3753).

The employment of learners under these certificates is limited to the terms and conditions therein contained and to the provisions of the applicable determination and order or regulations cited above. The applicable determination and order or regulations, and the effective and expiration dates of the certificates issued to each employer is listed below. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of

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any of these certificates, may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, INDUSTRY, PRODUCT, NUMBER OF LEARNERS AND EFFECTIVE DATES

Stern Brothers, Inc., 146 Fletcher Street, Lowell, Massachusetts; overseas caps, ski-caps, men's dress caps; 1 learner (T); effective October 19, 1943, expiring October 18, 1944.

SINGLE PANTS, SHIRTS, AND ALLIED GARMENTS, WOMEN'S APPAREL, SPORTSWEAR, RAINWEAR, ROBES, AND LEATHER AND SHEEP-LINED GARMENTS DIVISIONS OF THE APPAREL INDUSTRY

Adam H. Bartel Company, 200 South 8th Street, Richmond, Indiana; denim overalls and jackets; 10 percent (T); effective October 20, 1943, expiring October 19, 1944.

Max Blank, 432 Market Street, Philadelphia, Pennsylvania; Ladies' cotton dresses and blouses; 10 learners (T); effective October 19, 1943, expiring October 18, 1944.

Burney Axe Company, 1315 Cherry Street, Philadelphia, Pennsylvania; ladies' dresses; 10 percent (T); effective October 19, 1943, expiring October 18, 1944.

Ely and Walker Factory, 701 East "B" Street, Belleville, Illinois; wool mackinaws, leather coats, weather jackets; 10 percent (T); effective October 18, 1943, expiring October 17, 1944.

Martin Shirt Company, 207 South Main Street, Shenandoah, Pennsylvania; Boys' shirts, ladies' blouses; 10 percent (T); effective October 20, 1943, expiring October 19, 1944.

M. Nirenberg Sons, Inc., 750 Second Avenue, Troy, New York; cotton shirts; 10 percent (T); effective October 23, 1943, expiring October 22, 1944.

North Shore Manufacturing Company, 326 West Michigan Street, Duluth, Minnesota; snow suits, ski-wear, field jackets, children's and misses' jackets, slacks and sport coats; 10 learners (T); effective October 20, 1943, expiring October 19, 1944.

Pioneer Manufacturing Company, 61 South Pennsylvania Avenue, Wilkes-Barre, Pennsylvania; infants' and children's wear; 10 percent (T); effective October 18, 1943, expiring October 17, 1944.

H. H. Rosinsky and Company, 123 North Fifth Street, Philadelphia, Pennsylvania; women's and children's dresses; 5 learners (T); effective October 20, 1943, expiring October 19, 1944.

Morris Schwartz Dress Company, Clinton Street, Montgomery, New York; ladies' dresses and housecoats; 10 learners (T); effective October 20, 1943, expiring October 19, 1944.

Selfast Dress Company, R. D. #6, Bridgeton, New Jersey; children's dresses; 10 percent (T); effective November 3, 1943, expiring November 2, 1944.

GLOVES INDUSTRY

Montpellier Glove Company, Inc., 129 North Main Street, Montpellier, Indiana; work gloves; 10 percent (AT); effective October 18, 1943, expiring April 17, 1944.

Ross Glove Company, 11th and Alabama Streets, Sheboygan, Wisconsin; knit wool gloves and leather dress gloves; (T): 5 percent effective October 21, 1943, expiring October 20, 1944.

HOSIERY INDUSTRY

Beloit Hosiery Company, 206 Wheeler Avenue, South Beloit, Illinois; seamless hosiery; 6 learners (T); effective October 17, 1943, expiring October 17, 1944.

Chipman LaCrosse Hosiery Mills Company, Inc., Hendersonville, North Carolina; seamless hosiery; 15 percent (AT); effective October 17, 1943, expiring April 16, 1944.

Interwoven Stocking Company, Berkley Springs, West Virginia; seamless hosiery; 5

percent (T); effective October 20, 1943, expiring October 19, 1944.

Marshall Field & Company, Manufacturing Division, Fieldale, Virginia; full-fashioned hosiery; 5 percent (T); effective October 20, 1943, expiring October 19, 1944.

Portage Hosiery Company, 107 East Mullett Street, Portage, Wisconsin; seamless hosiery; 10 percent (AT); effective October 27, 1943, expiring April 28, 1944.

MILLINERY INDUSTRY

Suzy Lee Hat, Inc., 728 South Hill Street, Los Angeles, California; ladies' hats (custom made); 4 learners (T); effective October 19, 1943, expiring October 18, 1944.

Signed at New York, N. Y., this 19th day of October 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-17065; Filed, October 20, 1943;
11:19 a. m.]

LEARNER EMPLOYMENT CERTIFICATES ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that special certificates authorizing the employment of learners at hourly wages lower than the minimum rate applicable under section 6 of the Act are issued under section 14 thereof and part 522.5 (b) of the regulations issued thereunder (August 16, 1940, 5 F.R. 2862) to the employers listed below effective as of the dates specified in each listed item below.

The employment of learners under these certificates is limited to the terms and conditions as designated opposite the employer's name. These certificates are issued upon the employer's representations that experienced workers for the learner occupations are not available for employment and that they are actually in need of learners at subminimum rates in order to prevent curtailment of opportunities for employment. The certificates may be cancelled in the manner provided for in the regulations and as indicated on the certificates. Any person aggrieved by the issuance of the certificates may seek a review or reconsideration thereof.

NAME AND ADDRESS OF FIRM, PRODUCT, NUMBER OF LEARNERS, LEARNING PERIOD, LEARNER WAGE, LEARNER OCCUPATION, EXPIRATION DATE

The Caxton Printers, Ltd., 312-316 Main Street, Caldwell, Idaho; printing; 5 learners (T); linotype operator, compositor, pressman, lithographer, bindery worker for a learning period of 480 hours; linotype operator, compositor, pressman, lithographer at 30 cents per hour; bindery worker at 30 cents per hour for the first 320 hours and 35 cents per hour for the next 160 hours; effective October 18, 1943, expiring April 18, 1944. This certificate replaces the one issued on September 2, 1943.

Savannah Tire & Rubber Company, 626 West Broad Street, Savannah, Georgia; tire recapping; 3 learners (T); tire recapper for 160 hours learning period; at 35 cents per hour; effective October 20, 1943, expiring December 22, 1943.

Signed at New York, N. Y., this 19th day of October 1943.

MERLE D. VINCENT,
Authorized Representative
of the Administrator.

[F. R. Doc. 43-17066; Filed, October 20, 1943;
11:19 a. m.]

OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Vesting Order 2334]

VICTOR RUDOLF AND ELISABET ZIPPERLEN

Re: Mortgages, insurance policies and a claim owned by Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife.

Under the authority of the Trading with the Enemy Act, (as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife, is 5 Unlandstrasse, Tübingen, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. A certain mortgage executed by Walter Shaudes, as mortgagor, on June 1, 1924, in favor of Bertha R. Sautter, as mortgagee, and recorded in the Office for Recording of Deeds in and for Montgomery County, Pennsylvania, on June 26, 1924, in Mortgage Book No. 959, Page 50 etc., which was assigned to Victor Rudolf Zipperlen and Elisabeth Zipperlen on June 27, 1934, by instrument of assignment recorded in the Office for Recording of Deeds in and for Montgomery County, Pennsylvania, on June 30, 1934, in Mortgage Book No. 1410, Page 320 etc., and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

b. A certain mortgage executed by Thomas F. Quigley, as mortgagor, on September 25, 1926 in favor of the Northwestern Trust Company of the City of Philadelphia, as mortgagee, and recorded in the Office for Recording of Deeds in and for the City and County of Philadelphia, Pennsylvania, on October 1, 1926, in Mortgage Book J. M. H. No. 5479, Page 187 etc. which was assigned to Victor Rudolf Zipperlen and Elisabeth Zipperlen on June 27, 1934, by instrument of assignment recorded in the Office for Recording of Deeds in and for the City and County of Philadelphia, Pennsylvania, on June 29, 1934, in Assignment of Mortgage Book No. 1346 Page 176 etc., and any and all obligations secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

c. All right, title and interest of Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife, and each of them, in and to the following insurance policies: Fire Insurance Policy No. 2723 issued by the Providence Washington Insurance Company, insuring the premises covered by the mortgage described in subparagraph 3-a hereof; Fire Insurance Policy No. 13956 issued by the Pacific Fire Insurance Company, insuring the premises covered by the mortgage described in subparagraph 3-b hereof; and

d. All right, title, interest and claim of Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife, and each of them, in and

to a certain joint agency account with the Northern Trust Company of Philadelphia, Pennsylvania, which is held for and in the name of and is now due and owing to Victor Rudolf Zipperlen and Elisabeth Zipperlen, his wife, including but not limited to all security rights in and to any and all collateral for such account and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-c and 3-d hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-16962; Filed, October 19, 1943;
11:11 a. m.]

[Vesting Order 2335]

CLARA ORTH BECKER AND JACOB ORTH

Re: Undivided interest in real property, claim and bank account owned by Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation finding:

1. That the last known address of Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, is Eich, b/Worms, Hessen Darmstadt, Germany, and that they are residents of Germany and nationals of a designated enemy country (Germany);

2. That Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, are the owners of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided two-thirds interest in and to the real property situated in Buchanan County, Missouri, particularly described as Lot Three (3), Block Eleven (11), St. Joseph Extension, An Addition to the City of St. Joseph, Buchanan County, Missouri, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

b. All right, title, interest and claim of any name or nature whatsoever of Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, in the possession of S. J. Shepherd, Sheriff of Buchanan County, Missouri, specifically those funds which represent the proceeds derived from the sale of real property located at 2634 Lucille Avenue, St. Joseph, Missouri, under foreclosure of a trust deed, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, in and to a certain bank account in the American National Bank, St. Joseph, Missouri, which is due and owing to, and held for and in the name of Mrs. Klara Orth Becker and Jacob Orth, VII, which is now due and owing to Clara Orth Becker, also known as Klara Orth Becker, and Jacob Orth, also known as Jacob Orth, VII, including but not limited to all security rights in and to any and all collateral for any or all of such accounts or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order);

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-16963; Filed, October 19, 1943;
11:11 a. m.]

[Vesting Order 2336]

KENSABURO INUKAI

Re: Real property, bank account and claim owned by Kensaburo Inukai.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Kensaburo Inukai is Japan and that he is a resident of Japan and a national of a designated enemy country (Japan);

2. That Kensaburo Inukai is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in Otero County, State of Colorado, particularly described as: The east half of the southeast quarter (E½ SE¼) and the southwest quarter of the southeast quarter (SW¼SE¼) of section

twenty-six (26) township twenty-three (23) south of range fifty-six (56) west of the 6th p. m., together with any and all water rights thereunto belonging or in anywise appertaining and used in the irrigation thereof, including 100 shares of the capital stock of the Re-organized Catlin Consolidated Canal Company and 80 shares of the capital stock of The Timpas Creek Ditch Company, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of Kensaburo Inukai in and to the sum of \$500 constituting a portion of a certain bank account in the Rocky Ford National Bank, Rocky Ford, Colorado, which is due and owing to and held for and in the name of K. Inukai, including but not limited to all security rights in and to any and all collateral for any and all such accounts or portions thereof, and the right to enforce and collect the same;

c. All right, title, interest and claim of any name or nature whatsoever of Kensaburo Inukai in and to any and all obligations contingent or otherwise and whether or not matured, owing to Kensaburo Inukai by H. B. Mendenhall, Rocky Ford, Colorado, including but not limited to, all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and specifically any and all claims against H. B. Mendenhall arising out of the management of the property described in subparagraph 3-a hereof, and including certain uncashed United States Treasury checks totalling the sum of \$479.43 in the possession of H. B. Mendenhall;

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof, in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-16964; Filed, October 19, 1943;
11:11 a. m.]

[Vesting Order 2337]

VIOLET L. VON WERLHOF

Re: An interest in real property, two bonds and mortgages, etc., owned by Violet L. Von Werlhof.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Violet L. Von Werlhof is Langemarckstr. 58, Dresden, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That Violet L. Von Werlhof is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. An $\frac{3}{4}$ undivided interest in real property situated in Kings County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. A mortgage executed on April 10, 1928 by Joshua Green and Susie E. Green, his wife, and recorded on April 11, 1928 in the Register's Office of Kings County, New York, in Liber 7018 of Mortgages, page 137, and any and all obligations (contingent or otherwise and whether or not matured) which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations, and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

c. A mortgage executed on April 30, 1918 by Isaac Fass and recorded on May 1, 1918 in the Register's Office of New York County, New York, in Liber 3040 of Mortgages, page 61, as consolidated with the mortgages described in subparagraphs 3-d and 3-e hereof, and any and all obligations (contingent or otherwise and whether or not matured) which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession

of any and all notes, bonds, and other instruments evidencing such obligations, and

d. A mortgage executed on August 6, 1923 by Isaac Fass and Bertha Fass, his wife, and recorded on August 6, 1923 in the Register's Office of New York County, New York, in Liber 3382 of Mortgages, page 164, as consolidated with the mortgages described in subparagraphs 3-c and 3-e hereof, and any and all obligations (contingent or otherwise and whether or not matured) which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

e. A mortgage executed on November 19, 1931 by Isaac Fass and Bertha Fass, his wife, and recorded on November 23, 1931 in the Register's Office of New York County, New York, in Liber 4141 of Mortgages, page 348, as consolidated with the mortgages described in subparagraphs 3-c and 3-d hereof, and any and all obligations (contingent or otherwise and whether or not matured), which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

f. A participating interest to the extent of \$4,358 in a mortgage executed on June 7, 1911 by Nathan Tuckman and recorded in the Register's Office of New York County, New York, in Liber 157 of Mortgages, page 241, identified by Mortgage Certificate Number 94404 in the possession of United States Trust Company of New York, 45 Wall Street, New York, New York, and any and all obligations (contingent or otherwise and whether or not matured), which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

g. A participating interest to the extent of \$2,642.50 in a mortgage executed on June 14, 1909 by John Archibald Murray and Alice R. Murray, his wife, and recorded on June 24, 1909, in the Register's Office of New York County, New York, in Liber 145 of Mortgages, page 90, identified by Mortgage Certificate Number 95865 in the possession of United States Trust Company of New York, 45 Wall Street, New York, New York, and any and all obligations (contingent or otherwise and whether or not matured), which are secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all of such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, and other instruments evidencing such obligations, and

h. All right, title and interest of Violet L. Von Werlhof in and to the insurance policies particularly described in Exhibit B attached hereto and by reference made a part hereof,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-h hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a, 3-b, 3-c, 3-d, 3-e, 3-f, and 3-g hereof) belonging to the same national of the same designated enemy

country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one, or all, of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings thereon erected, situate, lying and being in the Borough of Brooklyn, County of Kings, City and State of New York, bounded and described as follows:

Beginning at the corner formed by the intersection of the northerly side of St. Johns Place with the westerly side of 8th Avenue; running thence westerly along the northerly side of St. Johns Place 95 feet; thence northerly at right angles to St. Johns Place 25 feet 1 1/4 inches; thence northeasterly at right angles to Flatbush Avenue 73 feet 7 inches to the southwesterly side of Flatbush Avenue, thence southeasterly along the southwesterly side of Flatbush Avenue 65 feet to the westerly side of 8th Avenue, and thence southerly along the westerly side of 8th Avenue 50 feet 2 inches to the corner, the point or place of beginning.

Together with all the right, title and interest, of, in and to the land in the street lying in front of and adjoining the said premises to the center line thereof.

EXHIBIT B

Fire Insurance Policy No. 886548 of the Royal Insurance Company issued to United States Trust Company of New York, assured, on the building located at 358-364 Flatbush Avenue, Brooklyn, New York, in the sum of \$25,000 for the term commencing December 31, 1942, and expiring December 31, 1945. The premium thereon in the sum of \$208.75 has been paid.

Rent Insurance Policy No. 888459 of the Royal Insurance Company issued to United States Trust Company of New York, assured, on the building located at 358-364 Flatbush Avenue, Brooklyn, New York, in the sum of \$5,000 for the term commencing March 29, 1943, and expiring March 29, 1946. The premium thereon in the sum of \$25.05 has been paid.

Public Liability Insurance Policy No. 914024 of the Globe Indemnity Company issued to United States Trust Company of New York, assured, on premises 358-364 Flatbush Avenue, Brooklyn, New York, limits of policy \$100,000 and \$300,000 for the term commencing March 14, 1943 and expiring March 14, 1944. The premium thereon in the sum of \$56.51 has been paid.

Plate Glass Insurance Policy No. 871482 of the Globe Indemnity Company issued to United States Trust Company of New York, assured, on premises 358-364 Flatbush Avenue, Brooklyn, New York, for the term commencing August 7, 1943 and expiring August 7, 1944. The premium thereon in the sum of \$150.50 has not been paid.

Fire Insurance Policy No. 204303 and Renewal Certificate No. RX1501 of the Home Insurance Company of New York, issued to Mamie Robinson, assured, with loss payable clause to United States Trust Company of New York, as its interest may appear, on the building located at 494 Hancock Street, Brooklyn, New York, in the sum of \$6,000 for the term commencing February 28, 1943, and expiring February 28, 1946. The premium thereon in the sum of \$15 has been paid.

Fire Insurance Policy No. 347805 of the Aetna Insurance Company of Hartford, Connecticut, issued to Isaac Fass, assured, with loss payable clause to United States Trust Company of New York, as its interest may appear, on the building located at 860 3d Avenue, New York City, in the sum of \$8,000 for the term commencing August 18, 1941, and expiring August 18, 1944. The premium thereon in the sum of \$40 has been paid.

Fire Insurance Policy No. 347804 of Aetna Insurance Company of Hartford, Connecticut, issued to Isaac Fass, assured, with loss payable clause to United States Trust Company of New York, as its interest may appear, on the building located at 860 3rd Avenue, New York City, in the sum of \$7,000 for the term commencing August 18, 1941, and expiring August 18, 1944. The premium thereon in the sum of \$35 has been paid.

Fire Insurance Policy No. 173696 of the Pennsylvania Millers Mutual Fire Insurance Company of Wilkes-Barre, Pennsylvania, issued to The Day Publishing Company, Inc., with loss payable clause to United States Trust Company of New York as its interest may appear, on the building located at 183 East Broadway, New York, New York, in the sum of \$10,000 for the term commencing December 1, 1941, and expiring December 1, 1944. The premium thereon in the sum of \$210 has been paid.

Fire Insurance Policy No. 5432093 of the Central Manufacturers Mutual Insurance Company of Van Wert, Ohio, issued to The Day Publishing Company, Inc., with loss payable clause to United States Trust Company of New York, as its interest may appear, on the building located at 183 East Broadway, New York City, in the sum of \$13,000 for the term commencing December 1, 1941, and expiring December 1, 1944. The premium thereon in the sum of \$273 has been paid.

Fire Insurance Policy No. 369140 of the United States Fire Insurance Company of New York, issued to Eleanor N. Findlay, assured, with loss payable clause to the United States Trust Company of New York, as its interest may appear on the building located at 96 Beekman Street, New York City, in the sum of \$10,000, for the term commencing March 17, 1941, and expiring March 17, 1944. The premium thereon in the sum of \$97.50 has been paid.

War Damage Corporation Policy No. 596-54-7499 (Pacific Fire Insurance Company, assuring agent) issued to Eleanor N. Findlay, with loss payable clause to United States Trust Company of New York, as its interest may appear on the building located at 96 Beekman Street, New York City, in the sum of \$20,500 for the term commencing August 27, 1942, and expiring August 27, 1943. The premium thereon in the sum of \$41 has been paid.

War Damage Corporation Policy No. 106-54-7531 (Liverpool and London and Globe Insurance Company, assuring agent) issued to United States Trust Company of New York, assured, on the building located at 358-364 Flatbush Avenue, Brooklyn, New York, in the sum of \$20,000 for the term commencing August 7, 1943 and expiring August 7, 1944. The premium thereon, in the sum of \$35, has been paid.

War Damage Corporation Policy No. 111-54-5609 (Liverpool and London and Globe Insurance Company, assuring agent) issued to United States Trust Company of New York on behalf of itself and whom it may concern. This is a blanket war damage insurance policy and includes coverage on premises 860 3d Avenue, New York City, for the term commencing July 1, 1943 and expiring July 1, 1944.

Fire Insurance Policy No. 15316 of the United States Fire Insurance Company of New York, issued to Eleanor N. Findlay, assured, with loss payable clause to the United States Trust Company of New York, as its interest may appear on the building located at 96 Beekman Street, New York City, in the sum of \$20,000, for the term commencing June 3, 1943 and expiring June 3, 1944. The premium thereon in the sum of \$201.50 has been paid.

[F. R. Doc. 43-16965; Filed, October 19, 1943; 11:12 a. m.]

[Vesting Order 2338]

HEDWIG BILECKI

Re: Real property situated in Cincinnati, Ohio, and bank account owned by Hedwig Bilecki.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Hedwig Bilecki is 111 Rheinweg, Bonn, Germany, and that she is a resident of Germany and a national of a designated enemy country (Germany);

2. That the said Hedwig Bilecki is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Hamilton County, Ohio, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits, or other payments arising from the ownership of such property;

b. All right, title, interest and claim of Hedwig Bilecki in and to a certain bank account in the Second National Bank, West-

wood Branch, Cincinnati, Ohio, which is due and owing to, and held for, Hedwig Bilecki in the name of "Hedwig Bilecki-Special," including but not limited to all security rights in and to any and all collateral for any or all of such account or portion thereof and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-b hereof is necessary for the maintenance and safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-b hereof

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL] LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that tract or parcel of land, particularly described as follows:

Being lot No. One hundred Sixty-five (165) as designated on the plat of subdivision made

by Peter M. Williams and James N. Gamble Trustees (Westwood Heights Subdivision) recorded in Plat Book 8 Vol. 1 page 21 Hamilton County Records; being Fifty (50) feet front on the North side of Daytona Avenue with a depth between parallel lines of one hundred thirty five (135) feet subject to the conditions expressed in the deed dated August 31st, 1923, and recorded in Deed Book 1339, page 86, Hamilton County Deed Records; that said premises shall be used for a period of Ten years from the date of said Deed for residential purposes only, that one residence for one family only may be erected on said premises during said period; and no such residence shall be erected thereon nearer the street line than forty feet; and such residence shall cost at least the sum of Four thousand Dollars; and no garage or other outbuilding shall be erected on said premises nearer the Street line than the rear line of any such residence so erected thereon. Said property is known, numbered and designated as No. 3118 Daytona Avenue, Westwood, Cincinnati, Hamilton County, Ohio.

[F. R. Doc. 43-16966; Filed, October 19, 1943; 11:12 a. m.]

[Vesting Order 2339]

CHRISTIAN REITMEIER

Re: Undivided interest in real property, a first mortgage and a bank account owned by Christian Reitmeier.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Christian Reitmeier is Schirum, Kries Aurich, Ostfriesland, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That Christian Reitmeier is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. The undivided one-fourth interest in and to that certain real property situated in Lyon County, Minnesota, particularly described as the Southeast quarter (SE $\frac{1}{4}$) of section Ten (10) in Township One Hundred Twelve (112), of Range Forty (40), containing One Hundred Sixty (160) acres, more or less according to Government survey thereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

b. The undivided one-third interest in and to a certain mortgage executed by Herman H. Schuck and Theresa Schuck, his wife, as mortgagors, on March 1, 1926 in favor of James Reitmeier, John Reitmeier and Christian Reitmeier, as mortgagees, and recorded in the Office of the Recorder in and for the County of Osceola, Iowa on March 1, 1926 in Book 41, pages 237-238, and any and all obligation secured by said mortgage, including but not limited to all security rights in and to any and all collateral (including the aforesaid mortgage) for any and all such obligations and the right to enforce and collect such obligations and the right to the possession of any and all notes, bonds, or other instruments evidencing such obligations, and

c. All right, title, interest and claim of Christian Reitmeier in and to the sum of \$500.00, constituting a portion of a certain bank account in the First National Bank, Sibley, Iowa, which is due and owing to, and held for and in the name of Christian Reitmeier, including but not limited to all security rights in and to any and all collateral

for any or all of such account or portion thereof, and the right to enforce and collect the same.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F. R. Doc. 43-16967; Filed, October 19, 1943;
11:12 a. m.]

[Vesting Order 2341]

VINCENT CASTELLI

Re: Real property, insurance policies and a bank account owned by Vincent Castelli.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended,

and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of Vincent Castelli is 19-A Corso-Garibaldi, San Remo, Italy, and that he is a resident of Italy and a national of a designated enemy country (Italy);

2. That Vincent Castelli is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:
a. Real property situated in Washington, District of Columbia, particularly described in Exhibits A and B, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title and interest of Vincent Castelli in and to certain policies of insurance, particularly described in Exhibit C, attached hereto and by reference made a part hereof, and

c. All rights, title, interest and claim of Vincent Castelli in and to the sum of \$1,000, constituting a portion of a certain bank account in the National Savings & Trust Company, Washington, D. C., and held for and in the name of W. Cameron Burton, Trustee for Vincent Castelli, including but not limited to all security rights in and to any and all collateral for any or all of such account or portion thereof, and the right to enforce and collect the same,

is property within the United States owned or controlled by a national of a designated enemy country (Italy);

And determining that the property described in subparagraph 3-c above is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b above) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Italy);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described above, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date

hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All the following-described land and premises, situate, lying and being in the City of Washington, District of Columbia, and known and distinguished as:

Parts of Lots three (3) and four (4), of the subdivision of square two hundred eighty-three (283) made by the heirs of John Davidson as per plat recorded in Liber MK at folio 80 in the Surveyor's office of the District of Columbia:

Beginning for the same on L Street, twenty (20) feet west from the southeast corner of said lot three (3) and running thence north eighty-two (82) feet, seven (7) inches; thence west nineteen (19) feet six inches; thence South eighty-two (82) feet seven (7) inches to L Street, thence east nineteen (19) feet six (6) inches to the beginning.

EXHIBIT B

All the following described land and premises, situate, lying and being in the City of Washington, District of Columbia and known and distinguished as:

Part of lot 33 in James R. Lathrop and others' subdivision of square Two hundred eighty-three (283) as per plat recorded in Liber 23 at folio 179 in the Surveyor's Office of the District of Columbia, beginning for the same on L Street at the southwest corner of said lot 33 and running thence north along the west line of said lot 90 feet, more or less to a point 3 feet south of the northwest corner of said lot, which point is the southwest corner of part of said lot that was conveyed to Mary F. Edmonston by deed dated June 19, 1907 recorded January 7, 1908 in Liber 3126 at folio 58 of the land records of the District of Columbia, thence east along the south line of said part so conveyed to the east line of said lot; thence south 89.245 feet more or less, along said east line to L Street and thence west 13.166 feet to the place of beginning.

EXHIBIT C

1. Policy insuring the building against loss by fire located at 1217 L Street, N. W., Washington, D. C.

Insurer, Expiration Date and Amount

American and Foreign Insurance Company,
May 20, 1947, \$10,000.

2. Policy insuring the property against loss by fire located at 1219 L Street, N.W., Washington, D. C.

Insurer, Expiration Date and Amount

American and Foreign Insurance Company,
October 31, 1944, \$6,000.

3. Policy insuring 1217-19 L Street, N. W., Washington, D. C. against Landlords Public Liability.

Insurer, Expiration Date and Amount

Travelers Public Liability Insurance Company, April 30, 1944, \$10,000-\$20,000.

[F. R. Doc. 43-16968; Filed, October 19, 1943;
11:12 a. m.]

[Vesting Order 2342]

AUGUST BAUCH

Re: Real property, insurance policies and claim owned by August Bauch.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That the last known address of August Bauch is 46 Widenmayerstrasse, Munich 22, Germany, and that he is a resident of Germany and a national of a designated enemy country (Germany);

2. That August Bauch is the owner of the property described in paragraph 3 hereof;

3. That the property described as follows:

a. Real property situated in Bronx County, New York, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. Real property situated in Bronx County, New York, particularly described in Exhibit B attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

c. All right, title and interest of August Bauch in and to the following insurance policies:

(1) Fire insurance policy No. 352803, issued by the Aetna Insurance Company, insuring the premises described in subparagraph 3-a hereof;

(2) Fire insurance policy No. 3596790, issued by the Great American Insurance Company, insuring the premises described in subparagraph 3-b hereof;

(3) Public Liability insurance policy No. OT252196, issued by the Fidelity & Casualty Company of New York, insuring against liability for personal injuries on or about the premises described in subparagraph 3-a hereof;

(4) Public Liability insurance policy No. LO340443, issued by the Great American Insurance Company, insuring against liability for personal injuries on or about the premises described in subparagraph 3-b hereof;

(5) War damage policy No. 1-54-21841, issued by the War Damage Corporation through the Home Insurance Company, as fiduciary, insuring the premises described in subparagraph 3-a hereof; and

d. All right, title, interest and claim of any name or nature whatsoever of August Bauch in and to any and all obligations, contingent or otherwise and whether or not matured, owing to August Bauch, by Sterling St. John, as Executor of the Estate of Mary Miller Bauch, and represented on the books of Sterling St. John, as Executor aforesaid, as a credit balance due August Bauch, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraph 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraphs 3-a and 3-b hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not with-

in a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The term "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, piece or parcel of land with the buildings and improvements thereon, erected, situate, lying and being in the twenty-third Ward, Borough of Bronx of the City of New York in the County and State of New York in section 10, Block 2658 on a land map of the City of New York bounded and described as follows:

Beginning at a point on the westerly side of Tinton Avenue distant 79.78 feet southerly from the corner formed by the intersection of the southerly side of 163rd Street as the same is laid out by the Commissioners of the Department of Public Parks of the City of New York, with the said westerly side of Tinton Avenue, and running thence westerly parallel with the southerly side of said 163rd Street and part of the distance through a party wall so far as the same extends 95 feet; thence southerly parallel to the said westerly side of Tinton Avenue 18.33 feet; thence easterly parallel to said southerly side of 163rd Street and part of the distance through a party wall so far as the same extends 95 feet, and to the said westerly side of Tinton Avenue; and thence northerly along the said westerly side of Tinton Avenue 18.33 feet to the point or place of beginning. Said premises being known as 923 Tinton Avenue.

EXHIBIT B

All that certain lot, piece or parcel of land situate, lying and being in the Borough of Bronx of the City of New York in the County of Bronx and State of New York, known and designated as part of Lot No. 120 on a map entitled "Map of part of the farm belonging to Benjamin Berrian, Esq. situated in the Village of Fordham, Town of West Farms, County of Westchester, State of New York" made by William Rodigue, C. E., dated November 23, 1852 and filed in the Office of the Clerk of said county February 17, 1854, and more particularly bounded and described as follows:

Beginning at a point on the westerly side of Marion Avenue as now laid out distant 414.03 feet northerly from the corner formed by the intersection of the westerly side of Marion Avenue with the northerly side of 194th Street, and running thence northerly along the westerly side of Marion Avenue 25 feet; thence westerly at right angles to Marion Avenue and along the southerly line of Lot No. 118 as laid down on the aforesaid map 180.66 feet to the land now or formerly of John Cromwell; thence southerly or northerly so and along the land now or formerly of John Cromwell 25.24 feet; and thence easterly and at right angles to Marion Avenue 177.16 feet to the point or place of beginning. Being the northerly one-half part of Lot No. 120 on the aforesaid map.

[F. R. Doc. 43-16969; Filed, October 19, 1943; 11:13 a. m.]

[Vesting Order 2343]

MARGARETA LANGE

Re: Real property situated in Seattle, Washington, and two claims owned by Margareta Lange.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That Margareta Lange is a resident of Germany and a national of a designated enemy country (Germany);

2. That Margareta Lange is the owner of the property described in subparagraph 3 hereof;

3. That the property described as follows:

a. Real property situated in the County of King, State of Washington, particularly described as Lot Fifteen (15), Block Twelve (12) in Greene's Addition to the City of Seattle, according to plat thereof recorded in Volume 2 of Plats, page 73, Records of King County, except the West 7½ feet heretofore appropriated by the City of Seattle for Eastlake Avenue, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of Margareta Lange in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Margareta Lange by Robert G. Clostermann, Portland, Oregon, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of any name or nature whatsoever of Margareta Lange in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Margareta Lange by Foster and Kleiser Company, Seattle, Washington, and represented on the books of Foster

and Kleiser Company as a credit balance due Margareta Lange, including but not limited to all security rights in and to any and all collateral for any and all such obligations and the right to enforce and collect such obligations,

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

Hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C. on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

[F.R. Doc. 43-16970; Filed, October 19, 1943;
11:13 a. m.]

[Vesting Order 2344]

WILLIAM R. VON VERSEN, ET AL.

Re: Real property and claims owned by William R. von Versen and other nationals of Germany.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation, finding:

1. That William R. von Versen, Hulda E. von Arnim, Friederich von Versen, Maximilian W. F. von Versen, and Lotte (Elizabeth) von Versen are residents of Germany and nationals of a designated enemy country (Germany);

2. That William R. von Versen, Hulda E. von Arnim, Friederich von Versen, Maximilian W. F. von Versen, and Lotte (Elizabeth) von Versen are the owners of the property described in subparagraph 3-a hereof; that William R. von Versen is the owner of the property described in subparagraph 3-b hereof; and that Maximilian W. F. von Versen is the owner of the property described in subparagraph 3-c hereof;

3. That the property described as follows:
a. Real property situated in St. Louis, Missouri, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. All right, title, interest and claim of any name or nature whatsoever of William R. von Versen in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Friederich von Versen by the law firm of Detjen and Detjen, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations, and

c. All right, title, interest and claim of any name or nature whatsoever of Maximilian W. F. von Versen, in and to any and all obligations, contingent or otherwise and whether or not matured, owing to Maximilian W. F. von Versen by the law firm of Detjen and Detjen, including but not limited to all security rights in and to any and all collateral for any and all such obligations, and the right to enforce and collect such obligations,

is property within the United States owned or controlled by nationals of a designated enemy country (Germany);

And determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that property described in subparagraph 3-a hereof) belonging to the same nationals of the same designated enemy country and subject to vesting (and in fact vested by this order) pursuant to section 2 of said Executive Order;

And further determining that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of

record held by or for persons who are not nationals of designated enemy countries, and

Hereby vests in the Alien Property Custodian the property described in subparagraphs 3-b and 3-c hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest, and for the benefit, of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order, may within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 5, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All those tracts or parcels of land situated in the City and County of St. Louis, Missouri, more particularly described as follows:

Parcel No. 1. A lot of ground situated in City block number five hundred seventy-seven (577) commencing at a point in the West line of Tenth (10) Street, one hundred ninety-three (193) feet ten (10) inches North of the Northern line of O'Fallon Street, running thence Westwardly along a line parallel to O'Fallon Street, one hundred twenty-five (125) feet to the east line of a twenty (20) foot alley; thence along said alley Northwardly twenty-seven (27) feet, four and three-fourths (4 $\frac{3}{4}$) inches; thence eastwardly along a line parallel to O'Fallon Street one hundred twenty-five (125) feet to the West line of Tenth (10) Street; thence Southwardly along the West line of Tenth (10) Street twenty-seven (27) feet four and three-fourths (4 $\frac{3}{4}$) inches to the place of beginning.

Parcel No. 2. A lot of ground designated as lot number six (6) in the plat of City Block number six hundred and five (605), recorded in Book Z.2, page 334, commencing at a point in the eastern line of Eighth Street, two hundred eighteen (218) feet, three (3) inches South of the southern line of Mullanphy Street, and running thence eastwardly and parallel to said Mullanphy Street, one hundred twenty-five (125) feet; thence southwardly along the western line of a twenty (20) foot alley forty-five (45) feet, six (6) inches; thence Westwardly and parallel to Mullanphy Street, one hundred twenty-five (125) feet; thence northwardly along

the eastern line of eighth (8) Street, forty-five (45) feet six (6) inches to the place of beginning.

[F. R. Doc. 43-16971; Filed, October 19, 1943; 11:13 a. m.]

[Vesting Order 2351]

KEIZO HARASAWA

Re: Real property in Wildwood Crest, New Jersey, owned by Keizo Harasawa.

Under the authority of the Trading with the Enemy Act, as amended and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation, finding:

1. That the last known address of Keizo Harasawa is Yokohama, Japan, and that he is a resident of Japan and a national of a designated enemy country (Japan);
2. That Keizo Harasawa is the owner of the property described in paragraph 3 hereof;
3. That the property described as follows:

Real property situated in the Borough of Wildwood Crest, Cape May County, New Jersey, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by a national of a designated enemy country (Japan);

And determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan);

And having made all determinations and taken all action, after appropriate consultation and certification required by law, and deeming it necessary in the national interest,

Hereby vests in the Alien Property Custodian the property described in paragraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest and for the benefit of the United States.

Such property and any or all of the proceeds thereof shall be held in an appropriate account, or accounts, pending further determination of the Alien Property Custodian. This order shall not be deemed to limit the power of the Alien Property Custodian to return such property or the proceeds thereof in whole or in part, nor shall this order be deemed to indicate that compensation will not be paid in lieu thereof, if and when it should be determined to take any one or all of such actions.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may, within one year from the date hereof, or within such further time as may be allowed, file with the Alien Property Custodian on Form APC-1 a notice of claim, together with a request for a hearing thereon. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

No. 209—10

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order No. 9095, as amended.

Executed at Washington, D. C., on October 6, 1943.

[SEAL]

LEO T. CROWLEY,
Alien Property Custodian.

EXHIBIT A

All that certain lot, tract, or parcel of land and premises situate, lying and being in the Borough of Wildwood Crest, County of Cape May and State of New Jersey, bounded and described as follows:

Beginning at the point of intersection of the southwesterly side of Denver Avenue with the southeasterly side of Atlantic Avenue, and extending thence; (1) Southwestwardly along the southeasterly side of said Atlantic Avenue a distance of 40 feet more or less to the dividing line between Lots Nos. 13 and 14 of Block No. 134 as shown on Plan of Wildwood Gables By-the-sea, Section 2, Wildwood Crest, New Jersey, duly filed and extending thence; (2) southeastwardly along said last named dividing line, a distance of 95 feet more or less to the northwesterly side line of Lot 15 of said Block 134, and extending thence; (3) northeastwardly at right angles to said last course a distance of 40 feet to the southwesterly side of Denver Avenue, thence; (4) northwestwardly along the southwesterly side of said Denver Avenue a distance of 100 feet more or less to the point and place of beginning.

Being Lot 14 in Block 134 as shown on "Map of Wildwood Gables, Section No. 2" in the Borough of Wildwood Crest, New Jersey, made by Harry E. Weir, Civil Engineer for the Wildwood Strand Realty Co. and filed in the County Clerk's Office of Cape May County.

[F. R. Doc. 43-16972; Filed, October 19, 1943; 11:13 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[Rev. Order 19 Under RPS 41]

STEEL CASTINGS AND RAILROAD SPECIALTIES

FREIGHT CAR CASTINGS

An opinion accompanying this revised order, issued simultaneously herewith has been filed with the Division of the Federal Register.

Order No. 19 is revised to read as follows:

Adjustable pricing on miscellaneous freight car castings. (a) Notwithstanding anything to the contrary contained in Revised Price Schedule No. 41 producers of miscellaneous freight car castings may, on and after July 31, 1943, deliver, or agree to deliver miscellaneous freight car castings at prices to be adjusted in accordance with action, if any, which is taken by the Office of Price Administration after delivery and effective prior to November 15, 1943. Producers of said castings, however, may not receive and buyers may not pay to producers an amount for such castings which exceeds the maximum price or prices in effect at the time of delivery unless and until action, if any, is taken by the Office of Price Administration effective prior to November 15, 1943 granting a higher price.

(b) Persons may buy, receive and pay for miscellaneous freight car castings as set forth in paragraph (a) above.

(c) This Revised Order No. 19 may be revoked or amended at any time.

This Revised Order No. 19 becomes effective October 20, 1943.

(Pub. Laws 421, 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17037; Filed, October 9, 1943; 5:08 p. m.]

[Order 1 Under MPR 457]

POTATO CHIPS

ORDER AUTHORIZING ADJUSTABLE PRICING FOR SALES IN CERTAIN TYPE OF PACKAGES

For the reasons set forth in an opinion issued simultaneously herewith, and in accordance with section 5 of Maximum Price Regulation No. 457, It is ordered:

(a) Persons selling potato chips to primary distributors and wholesalers are authorized to sell and deliver to those purchasers potato chips packed in triple laminated bags enclosed in paper-board cartons with outer cellophane or glassine wrappers at the maximum prices in effect at the date of delivery, subject to an agreement with the buyer in each case to adjust such selling price to conform with separate maximum prices established for sales of potato chips in that type of package in Maximum Price Regulation No. 457 after delivery thereof.

(b) This order shall be automatically revoked upon the establishment by the Office of Price Administration of separate maximum prices in Maximum Price Regulation No. 457 for sales of potato chips packed in triple laminated bags enclosed in paper-board cartons with outer cellophane or glassine wrappers. It may be revoked or amended by the Price Administrator at any time.

This order shall become effective October 19, 1943.

(56 Stat. 23, 765; Pub. Law 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 19th day of October 1943.

PRENTISS M. BROWN,
Administrator.

[F. R. Doc. 43-17030; Filed, October 19, 1943; 5:05 p. m.]

Regional and District Office Orders.

[Region II Rev. Order G-14 Under 18 (c)]

FIREWOOD IN BUFFALO DISTRICT, N. Y.

Revised Order No. G-14 under § 1499.18 (c) of the General Maximum Price Regulation.

It is the judgment of the Regional Administrator that there exists or threatens to exist in the State of New York exclusive of the counties of Chautauqua, Cattaraugus, Allegany, Erie

Wyoming, Genesee, Orleans, and Niagara comprising the Buffalo District, a shortage in the supply of firewood, a commodity essential to a standard of living consistent with the prosecution of the war; that such local shortage will be substantially reduced or eliminated by adjusting the maximum prices of sellers of such fuel within such area; and that such adjustment will not create or tend to create a shortage, or a need for increase in prices in another locality, and will effectuate the purposes of the Emergency Price Control Act of 1942, as amended.

Accordingly, pursuant to the Emergency Price Control Act of 1942, as amended, § 1499.18 (c) of the General Maximum Price Regulation as amended, and Revised Procedural Regulation No. 1, and for the reasons set forth in an opinion issued simultaneously herewith, it is ordered, That:

(a) On and after October 20, 1943, the maximum prices for the sale and delivery of hardwood cordwood at the roadside, to the consumer at the dealer's yard, and to the consumer's premises in the units and sizes and in the areas set forth in Appendix A hereof, shall be the applicable adjusted maximum prices specified in the appropriate schedule thereof.

(b) The seller is permitted to add to the applicable maximum price set forth in Appendix A hereof a charge for stacking, subject to the following limitations:

- (1) The maximum charge which may thus be added for such stacking shall be \$1.00 per cord, 50¢ per half cord, and 25¢ per quarter cord.
- (2) The additional charge made for stacking must in all cases be separately shown and separately stated on the invoices.
- (3) The additional charge for stacking may be made only in those cases wherein the purchaser voluntarily requests a performance of that service. It is not permissible for the seller to require, as a condition of any sale and/or delivery, that the purchaser use such seller's stacking services.

(c) The seller may not charge for any service for which a charge is not specifically authorized by this order, and may not add to the maximum prices above established any charge which is not expressly permitted in this order.

(d) No person shall evade any of the maximum prices established herein directly or indirectly, whether by commission, service, transportation or other charge; by tying agreement or other trade understanding, or in any other way. However, prices lower than these maximum prices may be charged and paid.

(e) Order No. G-14 under § 1499.18 (c) of the General Maximum Price Regulation issued by the Regional Office, Region II, on March 3, 1943 (formerly designated Order No. 16) is hereby revoked as of the effective date of this order. This revocation shall not operate to release or extinguish any penalty or liability incurred under such order and such order shall remain in force for the purpose of allowing or sustaining any proper suit, action, prosecution, or proceeding with respect to such penalty or liability.

(f) The Regional Administrator or Price Administrator may amend, revoke or rescind this order at any time.

(g) Definitions; when used in this order the term:

(1) "Firewood" means any wood prepared and intended for consumption as fuel.

(2) "Cordwood" means any firewood so prepared that at least 80% consists of cleft wood or merchantable body wood in the round, of desirable species.

(3) "Hardwood cordwood" means any cordwood cut from deciduous trees.

(4) A standard "cord" means 128 cubic feet of tightly stacked pieces of wood 48" in length. A cord of wood consisting of lengths greater than 48" shall contain at least 128 cubic feet.

(5) A "cord" of wood in lengths measuring 24" shall contain at least 104 cubic feet.

(6) A "cord" of wood in lengths measuring 12" or less shall contain at least 96 cubic feet. Sizes under 12" shall be included in this definition.

For wood sizes above 12", other than those herein specifically mentioned, the cubical contents of a cord shall be determined on a proportionate basis.

For example, a cord of wood containing lengths measuring 16" shall contain at least 98 2/3 cubic feet. This is determined as follows:

$$\begin{aligned} &16'' \text{ lies between } 12'' \text{ and } 24'' \\ &24'' \text{ wood contains at least } 104 \text{ cubic feet} \\ &12'' \text{ wood contains at least } 96 \text{ cubic feet} \\ \hline \text{Difference: } 12'' & \qquad \qquad \qquad 8 \text{ cubic feet} \\ &16'' - 12'' = 4'' \\ &\frac{1}{2} \times 8 \text{ cubic feet} = \frac{1}{2} \times 8 \text{ cubic feet} = 4 \text{ cubic feet} \\ &96 \text{ cubic feet} + 2 \frac{2}{3} \text{ cubic feet} = 98 \frac{2}{3} \text{ cubic feet.} \end{aligned}$$

(7) "Stacking" means the orderly placing, arranging, setting or piling of individual pieces of firewood on or at the premises designated by, and in a place therein prescribed by, the purchaser.

(8) "At the roadside" means deposited by a producer on ground adjacent to a road or highway and accessible by automobile, truck or wagon.

(9) "Consumer's price at dealer's yard" means the maximum price which the dealer may charge for wood sold at dealer's yard.

(10) "To the consumer's premises" means delivered and deposited on or at premises designated by the purchaser or his representative.

(11) "Area No. 1" means that part of the State of New York which consists of the cities of Albany, Binghamton, Rochester, Utica, Syracuse, Troy, Schenectady.

(12) "Area No. 2" means that part of the State of New York which consists of the counties of Albany (exclusive of the City of Albany), Broome (exclusive of the City of Binghamton), Cayuga, Chemung, Chenango, Columbia, Cortland, Delaware, Dutchess, Fulton, Greene, Herkimer south of the town of Poland and including that town, Livingston, Madison, Monroe (exclusive of the City of Rochester), Montgomery, Oneida (exclusive of the City of Utica), Onondaga (exclusive of the City of Syracuse), Ontario, Orange, Oswego, Otsego, Putnam, Rensselaer (exclusive of the City of Troy), Rockland, Saratoga, Schenectady

(exclusive of the City of Schenectady), Schoharie, Schuyler, Seneca, Steuben, Sullivan, Tioga, Tompkins, Ulster, Washington, Wayne, Yates, and the cities or towns of Plattsburg, Malone, Saranac, Watertown City, Ogdensburg, Messina, Potsdam, and Glens Falls.

(13) "Area No. 3" means that part of the State of New York which consists of the counties of Clinton (exclusive of the City of Plattsburg), Essex, Franklin (exclusive of the Cities of Malone and Saranac), Hamilton, Herkimer north of the town of Poland, Jefferson (exclusive of the City of Watertown), Lewis, St. Lawrence (exclusive of the Cities of Ogdensburg, Messina and Potsdam), and Warren (exclusive of the City of Glens Falls).

(14) "Area No. 4" means that part of the State of New York which consists of the counties of Richmond, Suffolk, and Upper Westchester.¹

(15) "Area No. 5" means that part of the State of New York which consists of the counties of Bronx, Kings, Nassau, New York, Queens and Lower Westchester.¹

Issued and effective October 20, 1943.

SYLVAN L. JOSEPH,
Regional Administrator.

¹ Lower Westchester shall include that part of Westchester County lying south of the northern boundary of the towns of Greenburgh, Harrison, and Rye to the Connecticut border. Upper Westchester shall include that part of Westchester County lying north of the boundary of Lower Westchester as herein defined.

APPENDIX A—ADJUSTED MAXIMUM PRICES FOR HARDWOOD CORDWOOD ACCORDING TO UNIT AND SIZE
SCHEDULE I

Area and type of delivery	1/4 cord (wood lengths)			1/2 cord (wood lengths)			1 cord (wood lengths)		
	12" and up to 24"	24" and up to 48"	48" and over	12" and up to 24"	24" and up to 48"	48" and over	12" and up to 24"	24" and up to 48"	48" and over
AREA NO. 1									
At roadside	\$5.00	\$4.75	\$4.50	\$9.50	\$9.00	\$8.50	\$18.00	\$17.00	\$16.00
Consumer's price at dealer's yard	6.25	6.00	5.75	12.00	11.50	11.00	23.00	22.00	21.00
To the consumer's premises	6.75	6.50	6.25	13.00	12.50	12.00	25.00	24.00	23.00

¹ Sizes under 12" are included in this category.

APPENDIX A—ADJUSTED MAXIMUM PRICES FOR HARDWOOD CORDWOOD ACCORDING TO UNIT AND SIZE—
Continued
SCHEDULE II

Area and type of delivery	¼ cord (wood lengths)			½ cord (wood lengths)			1 cord (wood lengths)		
	12" and up to 24"	24" and up to 48"	48" and over	12" and up to 24"	24" and up to 48"	48" and over	12" and up to 24"	24" and up to 48"	48" and over
AREA NO. 2									
At roadside.....	\$5.00	\$4.75	\$4.50	\$9.50	\$9.00	\$8.50	\$18.00	\$17.00	\$16.00
Consumer's price at dealer's yard.....	5.75	5.50	5.25	11.00	10.50	10.00	21.00	20.00	19.00
To the consumer's premises.....	6.15	5.90	5.65	11.75	11.25	10.75	22.50	21.50	20.50

SCHEDULE III

AREA NO. 3									
At roadside.....	\$4.15	\$3.90	\$3.65	\$7.75	\$7.25	\$6.75	\$14.45	\$13.45	\$12.45
Consumer's price at dealer's yard.....	4.60	4.35	4.10	8.65	8.15	7.65	16.25	15.25	14.25
To the consumer's premises.....	4.90	4.65	4.40	9.25	8.75	8.25	17.50	16.50	15.50

SCHEDULE IV

AREA NO. 4									
At roadside.....	\$5.35	\$5.10	\$4.85	\$10.15	\$9.65	\$9.15	\$19.25	\$18.25	\$17.25
Consumer's price at dealer's yard.....	6.15	5.90	5.65	11.75	11.25	10.75	22.50	21.50	20.50
To the consumer's premises.....	6.55	6.30	6.05	12.60	12.10	11.60	24.20	23.20	22.20

SCHEDULE V¹

AREA NO. 5									
At roadside.....	\$6.00	\$5.75	\$5.50	\$11.50	\$11.00	\$10.50	\$22.00	\$21.00	\$20.00
Consumer's price at dealer's yard.....	7.60	7.35	7.10	14.65	14.15	13.65	28.25	27.25	26.25
To the consumer's premises.....	8.25	8.00	7.75	16.00	15.50	15.00	31.00	30.00	29.00

¹ Sizes under 12" are included in this category.

² ½ cord 12" wood (at least 12 cubic feet) shall be \$5.25 delivered to consumer's premises.

[F. R. Doc. 43-16951; Filed, October 18, 1943; 4:52 p. m.]

[Region IV Order G-9 Under RMPR 122]

SOLID FUELS IN DANVILLE AREA, VA.

Order No. G-9 under § 1340.260 of Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for solid fuels in the City of Danville and certain adjacent territory in the State of Virginia.

Pursuant to the authority vested in the Regional Administrator of the Office of Price Administration by § 1340.260 of Revised Maximum Price Regulation No. 122 and for reasons stated in the opinion issued herewith, it is ordered:

(a) *What this order does.* (1) This order establishes maximum prices for sales of specified solid fuels when the delivery is made to any point within the corporate limits of Danville, Virginia and the area lying within twenty miles thereof by the most direct highway route.

(2) This order contains a price schedule applicable to sales of high volatile bituminous coal from District No. 7 and District No. 8.

(b) *What this order prohibits.* Regardless of any obligation, no person shall

(1) Sell or, in the course of trade or business, buy solid fuels at prices higher than the maximum prices set by this Order No. G-9 but less than maximum prices may at any time be charged, paid or offered,

(2) Obtain a higher than maximum price by:

(i) Charging for a service which is not expressly requested by the buyer and

which is not specifically authorized by this order.

(ii) Using any tying agreement or making any requirement that anything other than the fuel requested by the buyer be purchased by him, or

(iii) Using any other device by which a higher than maximum price is obtained, directly or indirectly.

(c) *Price schedule; sales on a "direct delivery or domestic" basis—*(1) *Consumer sales.* This price schedule sets forth maximum prices for sales of specified solid fuels when the delivery is made to any point within the corporate limits of Danville, Virginia and the area lying within twenty miles thereof by the most direct highway route.

LOW VOLATILE BITUMINOUS COAL FROM
DISTRICT NO. 7

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Stove.....	\$9.20	\$4.85	\$2.55
Egg.....	9.60	5.05	2.65
Stoker.....	8.05	4.28	2.26
Run-of-mine.....	8.35	4.43	2.34
Nut.....	8.60	4.55	2.40
Slack.....	6.05	3.28	1.76

HIGH VOLATILE BITUMINOUS COAL FROM
DISTRICT NO. 8

Size	Per ton (2,000 lbs.)	Per ½ ton (1,000 lbs.)	Per ¼ ton (500 lbs.)
Egg and stove.....	\$9.10	\$4.80	\$2.52
Splint (egg or stove).....	8.10	4.30	2.28
Stoker.....	8.25	4.38	2.31

(2) *Maximum authorized service charges and deduction—*(i) *Carry or wheel service.* If buyer requests such service the dealer may charge not more than 75 cents per ton for such service.

(ii) *Sacking.* Dealer may charge not more than 25¢ for 40 pound bag at yards, and 50¢ for 100 pound bag at yards for any grade of coal.

(iii) *Yard sales.* When the buyer picks up coal at the dealer's yard the dealer must reduce the domestic price 50 cents per ton.

(iv) *Credit.* No additional charge over the prices listed in this schedule may be made for the extension of credit.

(v) *Delivery charges.* The dealer may make no charges for delivery within the corporate limits of Danville, Virginia, or the area lying within three miles thereof by the most direct highway route. For deliveries beyond three miles from the corporate limits of Danville, Virginia, the dealer may make an additional charge of not more than 10¢ per mile per ton for each mile beyond three miles with a minimum charge of 50¢ for each delivery.

(d) *Ex Parte 148 freight rate increase; transportation tax—*(1) *The freight rate increase.* Since the Ex Parte 148 freight rate increase has been rescinded by the Interstate Commerce Commission, the dealer's freight rates are the same as those of December 1941. Therefore, no dealer may increase any schedule price on account of freight rates.

(2) *The transportation tax.* Only the transportation tax imposed by section 620 of the Revenue Act of 1942 may be collected in addition to the maximum prices set by this order provided the dealer states it separately from the price on the statement given to the buyer under paragraph (n) (2). (This tax need not be stated separately on sales to the United States or any agency thereof. See Amendment 12 to Revised Maximum Price Regulation 122.) No part of this tax may be collected in addition to the maximum prices on sales of quarter-ton or lesser quantities or on sales of any quantity of bagged coal.

(e) *Addition of increase in supplier's prices prohibited.* The maximum prices set by this order may not be increased by a dealer to reflect increases in purchase costs or in supplier's maximum prices occurring after the effective date hereof; but increases in the maximum prices set hereby to reflect such increases are within the discretion of the Administrator.

(f) *Power to amend or revoke.* The Price Administrator or Regional Administrator may amend, revoke or rescind this order, or any provision thereof, at any time.

(g) *Petitions for amendment.* Any person seeking an amendment to this order may file a petition for amendment in accordance with Revised Procedural Regulation No. 1 except that the petition shall be filed with the Regional Administrator and acted upon by him.

(1) *Applicability of other regulations.* Every dealer subject to this order is governed by the licensing and registration provisions of sections 15 and 16 of

the General Maximum Price Regulation. Sections 15 and 16 provide, in brief, that a license is required of all persons selling at retail commodities for which maximum prices are established. A license is automatically granted. It is not necessary to apply for the license, but a dealer may later be required to register. The license may be suspended for violation in connection with the sale of any commodity for which maximum prices are established. If a dealer's license is suspended, he may not sell any such commodity during the period of suspension.

(h) *Records and reports.* Every dealer subject to this order shall preserve, keep and make available for examination by the Office of Price Administration, the same records he was required to preserve and keep under § 1340.262 (a) and (b) of Regulation No. 122.

It is not necessary that these maximum prices be filed with the War Price and Rationing Boards.

(i) *Posting of maximum prices; sales slips and receipts.* (1) Each dealer subject to this order shall post all the maximum prices set by it for all his types of sales. He shall post his prices in his place of business in a manner plainly visible to and understandable by the purchasing public. He shall also keep a copy of this order available for examination by any person inquiring as to his prices for solid fuel.

(2) Every dealer selling solid fuel for sales of which a maximum price is set by this order shall, within thirty days after the date of delivery of the fuel, give to the buyer a statement showing: the date of the sale, the name and address of the dealer and of the buyer, the kind, size and quantity of the solid fuel sold, the price charged and separately stating, any item which is required to be separately stated by this order. This paragraph (n) (2) shall not apply to sales of quantities of less than quarter-ton or to sales of bagged coal unless the dealer customarily gave such a statement on such sales.

(3) In the case of all other sales, every dealer who during December 1941 customarily gave buyers sales slips or receipts shall continue to do so. If a buyer requests of a seller a receipt showing the name and address of the dealer, the kind, size and quantity of the solid fuel sold to him or the price charged, the dealer shall comply with the buyer's request as made by him.

(j) *Enforcement.* (1) Persons violating any provision of this order are subject to civil and criminal penalties, including suits for treble damages, provided for by the Emergency Price Control Act of 1942, as amended.

(2) Persons who have any evidence of any violation of this order are urged to communicate with the Roanoke, Virginia, District Office of the Office of Price Administration.

(k) *Definitions and explanations.* When used in this Order No. G-9 the term:

(1) "Person" includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successor representative of any of the foregoing, and includes the United States, any other government, or any agency or subdivision of any of the foregoing.

(2) "Sell" includes sell, supply, dispose, barter exchange, lease, transfer, and deliver, and contracts and offers to do any of the foregoing. The terms "sale", "selling", "sold", "seller", "buy", "purchase" and "purchaser" shall be construed accordingly.

(3) "Dealer" means any person selling solid fuel except producers or distributors making sales at or from a mine, a preparation plant operated as an adjunct of any mine, a coke oven, or a briquette plant.

(4) "Direct delivery" means dumping or chuting the fuel from the seller's truck directly into the buyer's bin or storage space; but if this is physically impossible, the term means discharging the fuel directly from the seller's truck at a point where this can be done and at the point nearest and most accessible to the buyer's bin or storage space.

"Direct delivery" of bagged fuel or any fuel in quarter ton or lesser lots always means delivery to the buyer's storage space.

(5) "Carry" and "wheel" refer to the movement of fuel to buyer's bin or storage space by wheelbarrow, barrel, sack or otherwise from the seller's truck or from the point of discharge therefrom when made in the course of "direct delivery."

(6) "Yard sales" shall mean deliveries made by the dealer in his customary manner at his yard or at any place other than his truck.

(7) "District No." refers to the geographical bituminous coal-producing districts as delineated and numbered by the Bituminous Coal Act of 1937, as amended, as they have been modified by the Bituminous Coal Division and as in effect at midnight August 23, 1943.

(8) "High volatile bituminous coal" and "low volatile bituminous coal" refer to coal produced in certain sections of the producing districts specified herein.

(9) "Egg, stove, stoker, etc." sizes of bituminous coal refer to the size of such coal as defined in the Bituminous Coal Act of 1937, as amended, and as prepared at the mine in accordance with the applicable minimum price schedule promulgated by the Bituminous Coal Division of the United States Department of the Interior and in effect (or established) as of midnight August 23, 1943, except that "run-of-mine" shall be that size sold as such by the dealer.

(10) Except as otherwise provided herein or as the context may otherwise require, the definitions set forth in §§ 1340.355 and 1340.266 of Regulation No. 122 shall apply to terms used herein.

(1) *Effect of order on Revised Maximum Price Regulation No. 122.* To the extent applicable, the provisions of this

order supersede Revised Maximum Price Regulation No. 122.

This order No. G-9 shall become effective October 25, 1943.

NOTE: This order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

(Pub. Laws 421 and 729, 77th Cong., E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued October 18, 1943.

ALEXANDER HARRIS,
Acting Regional Administrator.

[F. R. Doc. 43-16952; Filed, October 18, 1943; 4:53 p. m.]

[Region VII Order G-14 Under Rev. MPR 122]
CERTAIN SOLID FUELS IN DESIGNATED TRADE
AREAS OF UTAH

Order No. G-14 under Revised Maximum Price Regulation No. 122. Solid fuels sold and delivered by dealers. Maximum prices for certain solid fuels sold and delivered by dealers in certain trade areas in the State of Utah.

Pursuant to the Emergency Price Control Act of 1942, as amended, and §§ 1340.259 and 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *Geographical applicability.* This order shall apply to all of the trade area contained within the boundaries of the cities of Logan, Provo, Ogden and Salt Lake City in the State of Utah covered herein and as more fully described under paragraph (n) *Definitions.*

(b) *What this order does.* If you are a dealer in bituminous coal, you will find set forth in this order under Tables I to IV the maximum prices which you may charge for sales and deliveries made by you from your place of business in the specific area served; and if you are a purchaser in the course of trade or business the prices set forth herein in Tables I to IV are the maximum prices which you may pay any coal dealer in the specific area covered for the kinds, sizes and quantities of coals specified in said tables when purchased in his place of business in the particular area covered.

(c) *To what sales this order applies.* If you sell coal of the kind specified herein and make delivery thereof to any person within the areas covered, the maximum price which you may charge therefor and the customary discounts and allowances which you must give are those set forth in Tables I to IV of this order.

(d) *Specific maximum prices.* (1) If you sell and deliver in the Logan Trade Area any one or more of the kinds and sizes of coal named in Table I set forth below, your maximum prices therefor are those specified in Part 1 of said Table I; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are those set forth below in Part 2 of said Table I.

TABLE I—MAXIMUM PRICES, LOGAN TRADE AREA

Kind	Size	Part 1— Delivered prices (per ton)	Part 2—Yard prices	
			To dealers	To others
Bituminous coal produced in District 20: Subdistrict 1, Castlegate.....	#2—10" lump.....	\$8.40	\$7.40	\$7.90
	#3—10 x 3 stove.....	8.25	8.25	7.75
	#7—3 x 1½ nut.....	7.95	6.95	7.45
	#8—1½ x 1 pea, treated.....	7.05	6.05	6.55
	#8—1½ x 1 pea, untreated.....	6.95	5.95	6.45
	#10—1½ x 0 slack, treated.....	6.55	5.55	6.05
	#11—1 x 0 slack, treated.....			
	#10—1½ x 0 slack, untreated.....	6.30	5.30	5.80
	#11—1 x 0 slack, untreated.....			

(2) If you sell and deliver in the Provo Trade Area any one or more of the kinds and sizes of coal named in Table II set forth below, your maximum prices therefor are those specified in Part 1 of said Table II; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are those set forth below in Part 2 of said Table II.

TABLE II—MAXIMUM PRICES, PROVO TRADE AREA

Kind	Size	Part 1— Delivered prices (per ton)	Part 2— Yard prices (per ton)	
			To dealers	To others
Bituminous coal produced in District 20: Sub-district 1, Castlegate.....	#2—10" lump.....		\$7.85	\$7.35
	#3—10 x 3 and 8 x 3 stove and 3" lump.....		7.70	7.20
	#7—1½ x 3 nut.....		6.95	6.45
	#8—1½ x 1 pea.....		6.25	5.75
	#10—1½ x 0 slack treated.....	5.75	5.25	5.25
	#11—1 x 0 slack treated.....			
	#10—1½ x 0 slack untreated.....	5.50	5.00	5.00
	#11—1 x 0 slack untreated.....			

(3) If you sell and deliver in the Ogden Trade Area any one or more of the kinds and sizes of coal named in Table III set forth below, your maximum prices therefor are those specified in Part 1 of said Table III; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are those set forth below in Part 2 of said Table III.

TABLE III—MAXIMUM PRICES, OGDEN TRADE AREA

Kind	Size	Part 1— Delivered prices (per ton)	Part 2—Yard prices	
			To dealers	To others
Bituminous coal produced in District 20: Sub-district 1, Castlegate.....	#2—10" lump.....	\$8.70	\$7.45	\$7.95
	#3—8" lump.....			
	#3—10 x 3 grate.....			
	#5—8 x 3 stove.....			
	#7—3 x 1½ nut.....	7.95	6.70	7.20
	#8—1½ x 1 pea.....	7.05	5.80	6.30
	#11—1 x 0 slack, treated.....	6.55	5.55	6.05
	#11—1 x 0 slack, untreated.....	6.30	5.30	5.80

(4) If you sell and deliver in the Salt Lake Trade Area any one or more of the kinds and sizes of coal named in Part 1 of Table IV set forth below, your maximum prices therefor are those specified in Part 1 of said Table IV; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are as set forth below in Part 2 of said Table IV.

TABLE IV—MAXIMUM PRICES, SALT LAKE CITY TRADE AREA

Kind	Size	Part 1— Delivered prices (per ton)	Part 2—Yard prices	
			To dealers	To others
Bituminous coal produced in District 20: Sub-district 1, Castlegate.....	#2—8" x 10" lump.....	\$8.15	\$6.65	\$7.40
	#3—3" lump 3 x 10 egg.....	8.00	6.50	7.25
	#5—8 x 3 egg.....			
	#7—3 x 1½ nut.....	7.65	6.15	6.90
	#8—1½ x 1 pea, treated.....	7.05	6.05	6.30
	#9—1 x ¾ slack, treated.....	6.55	5.80	6.05
	#10—1½ x 0 slack, treated.....	6.30	5.55	5.80
	#11—1 x 0 slack, treated.....			

¹ Slack prices are based on domestic sales. On sales for commercial use the maximum prices of treated slack shall be the listed price less 25¢; on sales for commercial use of untreated slack the maximum prices shall be the listed price less 50¢.

(5) If in connection with a sale and delivery of coal made by you in the areas covered herein, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services follow:

Special service charges	Per ton	Per ½ ton
"Wheel-in".....	\$1.00	\$0.50
"Pull-back" or "Trimming".....	.25	.15
"Carrying up or downstairs".....	1.00	.50

(e) *Determination of mixed coals prices.* If you mix sizes or kinds of coal your maximum price shall be the proportionate sum of the applicable maximum prices per net ton established in this order for each of the coals so mixed adjusted to the nearest five cents.

(f) *When transportation tax may be collected.* If on any purchase of coal made by you you are required to pay the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in subparagraphs (1), (2), (3), and (4) of paragraph (d) hereof, collect from the buyer the amount of such tax actually incurred or paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum, the amount of such tax so collected by you. But on sales to the United States or any agency thereof, such tax need not be separately stated.

(g) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, as stated in paragraph (h) of this order, shall apply to all dealers selling and delivering coal in the areas covered herein with like force and effect as though the same were rewritten herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(h) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their local war price and rationing board as previously required in § 1340.262 (c). However, prices for coals not specifically covered by this order shall be filed as required by that section.

(i) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into you shall not:

(1) Sell, or in the course of trade or business, buy solid fuels of the kinds and sizes covered by this order at prices higher than the maximum prices set forth herein; but you may sell or buy

such coal at lower prices than such maximum prices.

(2) Obtain any prices higher than the applicable maximum prices by:

(i) Changing or withdrawing your customary cash discounts and allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the areas for which the maximum prices are herein set forth or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained either directly or indirectly.

(j) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. These specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(l) *Petition for amendment.* If you desire an amendment of any provisions of this order, you may file a petition therefor in accordance with the provisions of Revised Procedural Regulation No. 1, except that it shall be filed with the Regional Administrator and acted upon by him.

(m) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(n) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical condition of the premises is such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by re-handling the same for the purpose of filling the bin.

(3) "Carrying up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(4) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting, or shovelling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(5) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the seller's coal yard or stock pile.

(6) "Dealer" means any person selling solid fuels of any kind or size for which a maximum price is established by this order for sales and deliveries made in the area covered herein and does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(7) "Bituminous coal" means coal produced in District 20 and any sub-districts thereof as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior and in effect as of midnight, August 23, 1943.

(8) "Area descriptions" are as follows:

(i) The maximum prices set forth in Table I hereof shall apply to the area contained within the municipal boundaries of the city of Logan, Utah and extending five miles beyond at all points and including the suburban areas of Benson Ward, Providence and College Ward. The above described area is referred to herein as the Logan Trade Area.

(ii) The maximum prices set forth in Table II hereof shall apply to the area contained within the municipal boundaries of the city of Provo, Utah. The above described area is referred to herein as the Provo Trade Area.

(iii) The maximum prices set forth in Table III hereof shall apply to the area contained within the municipal boundaries of the city of Ogden, Utah and extending two miles beyond at all points. The above described area is referred to herein as the Ogden Trade Area.

(iv) The maximum prices set forth in Table IV hereof shall apply to the area bounded by the northern boundary line of the city of Salt Lake City, on the east by the foot of the mountains, on the south by 33d South Street and in the west by Redwood Road. The above described area is referred to herein as the Salt Lake City Trade Area.

(o) *Effective date.* This order shall become effective October 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-16950; Filed, October 18, 1943; 4:52 p. m.]

[Region VII Order G-12 Under RMPR 122]

SOLID FUELS IN STATE OF IDAHO

Order No. G-12 under Revised Maximum Price Regulation 122. Maximum prices for certain solid fuels sold and delivered by dealers in certain trade areas in the State of Idaho.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1340.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *Geographical applicability.* This order shall apply to all of the trade areas contained within the boundaries of the cities of Boise, Pocatello, Twin Falls, Nampa and Idaho Falls in the State of Idaho covered herein and as more fully described under paragraph (n) *Definitions*.

(b) *What this order does.* If you are a dealer in bituminous coal, you will find set forth in this order under Tables I to V the maximum prices which you may charge for sales and deliveries made by you from your place of business in the specific area served; and if you are a purchaser in the course of trade or business the prices set forth herein in Tables I to V are the maximum prices which you may pay any coal dealer in the specific area covered for the kinds, sizes and quantities of coals specified in said tables when purchased in his place of business in the particular area covered.

(c) *To what sales this order applies.* If you sell coal of the kind specified herein and make delivery thereof to any person within the areas covered, the maximum price which you may charge therefor and the customary discounts and allowances which you must give are those set forth in Tables I and V in this order.

(d) *Specific maximum prices.* (1) If you sell and deliver in the Boise Trade Area any one or more of the kinds and sizes of coal named in Table I set forth below, your maximum prices therefor are those specified in Part 1 of said Table 1; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are set forth below in Part 2 of said Table I.

TABLE I—MAXIMUM PRICES, BOISE TRADE AREA

Kind	Size	Part 1—Delivered prices		Part 2—Yard prices
		Per ton	Per ½ ton	
Bituminous coal produced in District 20's subdistrict 1, Castle Gate.	#2-10" lump.....	\$12.65	\$6.60	\$11.65
	#3-3 x 10 stove.....	12.60	12.70	11.60
	#7-3 x 13½ nut.....	11.70	6.10	10.70
	#8-1½ x 1 pea 1.....	10.80	5.65	9.80
	#9-1 x ¾ slack 1.....	9.80	5.35	9.15
	#10 and #11-1½ x 0 slack and 1 x 0 slack 1.....	9.55	5.15	8.80

¹ Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price for untreated sales.

(2) If you sell and deliver in the Pocatello Trade Area any one or more of the kinds and sizes of coal named in Table II set forth below, your maximum prices therefor are those specified in Part 1 of said Table II; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are set forth below in Part 2 of said Table II.

TABLE II—MAXIMUM PRICES, POCATELLO TRADE AREA

Kind	Size	Part 1—Delivered prices		Part 2—Yard prices
		Per ton	Per ½ ton	
Bituminous coal produced in District 20, subdistrict 1, Castlegate.	#2—10" lump.....	\$10.45	\$5.55	\$9.45
	#3—3" lump.....	10.15	5.40	9.15
	#5—8 x 3 and 10 x 3 stove.....	10.10	5.35	9.10
	#7—3 x 1½ nut.....	9.25	4.65	8.25
	#9—1 x ¾ slack ¹	8.25	4.45	7.25
	#10—1½ x 0 slack ¹	7.85	4.35	7.10
	#11—1 x 0 slack ¹	7.85	4.35	7.10

¹ Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price for untreated sales.

(3) If you sell and deliver in the Twin Falls Trade Area any one or more of the kinds and sizes of coal named in Table III set forth below, your maximum prices therefor are those specified in Part 1 of said Table III; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are set forth below in Part 2 of said Table III.

TABLE III.—MAXIMUM PRICES, TWIN FALLS TRADE AREA

Kind	Size	Part 1—Delivered prices		Part 2—Yard prices
		Per ton	Per ½ ton	
Bituminous coal produced in District 20, subdistrict 1, Castlegate.	#2—10" lump.....	\$11.40	\$6.20	\$10.65
	#3—3" lump.....	10.95	6.00	10.20
	#5—10 x 3 and 8 x 3 stove.....	10.70	5.85	9.95
	#7—3 x 1½ nut.....	9.10	5.05	8.35
	#9—1½ x 0 slack.....	8.90	4.95	8.15
	#10—1½ x 0 slack.....	8.30	4.65	7.55
	#11—1 x 0 slack.....			

¹ Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price for untreated sales.

(4) If you sell and deliver in the Nampa Trade Area any one or more of the kinds and sizes of coal named in Table IV set forth below, your maximum prices therefor are those specified in Part 1 of said Table IV; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are set forth below in Part 2 of said Table IV.

TABLE IV—MAXIMUM PRICES, NAMPA TRADE AREA

Kind	Size	Part 1—Delivered prices		Part 2—Yard prices
		Per ton	Per ½ ton	
Bituminous coal produced in District 20, subdistrict 1, Castlegate.	#2—10" lump.....	\$12.15	\$6.35	\$11.15
	#3—3" lump.....	12.10	6.30	11.10
	#5—8 x 3 and 10 x 3 stove.....	12.00	6.25	11.00
	#7—3 x 1½ nut.....	11.20	5.85	10.20
	#9—1 x ¾ slack ¹	10.30	5.40	9.30
	#10—1½ x 0 slack ¹	9.90	5.20	8.90
	#11—1 x 0 slack ¹	9.55	5.05	8.55

¹ Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price for untreated sales.

(5) If you sell and deliver in the Idaho Falls Trade Area any one or more of the kinds and sizes of coal named in Table V set forth below, your maximum prices therefor are those specified in Part 1 of said Table V; if you sell coal at your yard, your maximum prices for the kinds and sizes of bituminous coal are set forth below in Part 2 of said Table V.

TABLE V—MAXIMUM PRICES, IDAHO FALLS TRADE AREA

Kind	Size	Part 1—Delivered prices		Part 2—Yard prices
		Per ton	Per ½ ton	
Bituminous coal produced in District 20, subdistrict 1, Castlegate.	#2—10" lump.....	\$10.40	\$5.60	\$9.65
	#3—3" lump.....	10.10	5.45	9.35
	#5—10 x 3 and 8 x 3 stove.....	9.45	5.10	8.70
	#7—3 x 1½ nut.....	8.80	4.90	8.30
	#9—1 x ¾ slack ¹	7.55	4.30	7.05
	#10—1½ x 0 slack ¹			
	#11—1 x 0 slack ¹			

¹ Price includes oil or chemical treatment. Deduct 25¢ from the above per net ton price for untreated sales.

(6) If in connection with a sale and delivery of coal made by you in the areas covered herein, you, at the request of the purchaser, perform any one or more of the special services set forth below, the maximum prices which you may charge for such special services are those stated:

Special service charges	Per ton	Per ½ ton
"Wheel-in".....	\$0.50	\$0.35
"Pull-back or trimmings".....	.25	.15
"Carrying up or down stairs".....	1.00	.60
"Planking".....	.75	

(e) *Determination of mixed coals prices.* If you mix sizes or kinds of coal, your maximum price shall be the proportionate sum of the applicable maximum prices per net ton established in this order for each of the coals so mixed adjusted to the nearest five cents.

(f) *When transportation tax may be collected.* If on any purchase of coal made by you you are required to pay the amount of the transportation tax imposed by section 620 of the Revenue Act of 1942, you may, in addition to the specific maximum prices established in subparagraphs (1) (2) (3) (4) and (5) of paragraph (d) hereof, collect from the buyer the amount of such tax actually incurred or paid by you, or an amount equal to the amount of such tax paid by any of your prior suppliers and separately stated and collected from you by the supplier from whom you purchased, provided you state separately on your sales invoice, slip, ticket or other memorandum, the amount of such tax so collected by you. But on sales to the United States or any agency thereof, such tax need not be separately stated.

(g) *Applicability of other regulations.* Except as inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of Revised Maximum Price Regulation No. 122, except paragraph (c) of § 1340.262 thereof, as stated in paragraph (h) of this order, shall apply to all dealers selling and delivering coal in the areas covered herein with like force and effect as though the same were re-written herein. If you sell solid fuel of a kind or size not specifically priced by this order, all such sales and deliveries remain subject to the provisions of Revised Maximum Price Regulation No. 122 and orders issued thereunder.

(h) *Filing requirements.* Dealers whose prices are established by this order shall not be required to file prices with their local war price and rationing board as previously required in § 1340.262 (c). However, prices for coals not specifically covered by this order shall be filed as required by that section.

(i) *What you must not do.* Regardless of any contract or other obligation which you may have heretofore entered into you shall not:

(1) Sell, or in the course of trade or business, buy solid fuels of the kinds and sizes covered by this order at prices higher than the maximum prices set forth herein; but you may sell or buy such coal at lower prices than such maximum prices.

(2) Obtain any prices higher than the applicable maximum prices by:

(i) Changing or withdrawing your customary discounts, differentials or allowances;

(ii) Charging for any service which is not expressly requested by the buyer; or

(iii) Charging for any service for which a charge is not specifically authorized by this order; or

(iv) Charging a price for any service higher than the price authorized by this order for such service; or

(v) Increasing your delivery charges, if any, for delivery outside the areas for which the maximum prices are herein set forth or increasing any interest rate on delinquent and past-due accounts over the rate or charge made by you in December 1941; or

(vi) Using any tying agreement whereby the buyer is required or persuaded to purchase anything other than the fuel requested by him; or

(vii) Using any other device by which a price higher than your maximum price is obtained either directly or indirectly.

(j) *An increase in your supplier's prices does not authorize you to increase your prices.* You must not increase the specific maximum prices established for you by this order to reflect in whole or in part any subsequent increase to you in your supplier's maximum prices for the fuel covered by this order. These specific maximum prices established for you by this order reflect all of the increases in the maximum prices of your supplier to the date hereof. If increase in your supplier's maximum prices shall occur after the effective date of this order, you may bring that fact to the attention of the Regional Administrator whereupon he will take such appropriate action in the premises as the then existing facts and circumstances justify.

(k) *Adjustable pricing.* You may not make a price adjustable to a maximum price which becomes effective at some time after you have made delivery of the coal; but you may agree to sell at whatever maximum price is in effect at the time of delivery.

(l) *Petition for amendment.* If you desire an amendment of any provisions of this order, you may file a petition therefor with the Regional Administrator and in accordance with the provisions of Revised Procedural Regulation No. 1.

(m) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(n) *Definitions.* (1) "Carry" or "wheel-in" means to transport coal from the vehicle in which delivery is made or from the nearest accessible point of dumping or unloading and place the same in the buyer's bin or storage space when the physical conditions of the premises are such as to prevent dumping or unloading directly into such bin or storage space.

(2) "Pull-back" or "trimming" means to arrange and place coal in the buyer's bin by re-handling the same for the purpose of filling the bin.

(3) "Carrying up or down stairs" means generally the labor involved in carrying coal up or down stairs for depositing in customer's bin or storage space.

(4) "Planking" means to arrange and place planks over which coal is moved either by truck or by wheelbarrow to the buyer's bin or storage space for the purpose of protecting the buyer's property.

(5) "Delivery" means delivery to the buyer's bin or storage space by dumping, chuting, or shovelling directly from the seller's truck or vehicle, or where such delivery to the buyer's bin or storage space is physically impossible, by discharging at the point nearest and most accessible to the buyer's bin or storage space and at which the coal can be discharged directly from the seller's truck.

(6) "Yard sales" means sales accompanied by physical transfer to the buyer's truck or vehicle at the seller's coal yard or stock pile.

(7) "Dealer" means any person selling solid fuels of any kind or size for which a maximum price is established by this order for sales and deliveries made in the area covered herein and does not include transactions whereby a producer or distributor makes a sale at or from a mine or preparation plant operated as an adjunct of a mine.

(8) "Bituminous coal" means coal produced in District 20 and any sub-districts thereof as set forth in the Minimum Price Schedules of the Bituminous Coal Division of the Department of the Interior and in effect as of Midnight, August 23, 1943.

(9) "Area Descriptions". (i) The maximum prices set forth in Table I hereof shall apply to all points contained within a radius of three miles from the perimeter boundaries of the original townsite of Boise City as filed for record in the Office of the County Recorder of Ada County, Idaho. The area described above is referred to herein as the Boise Trade Area.

(ii) The maximum prices set forth in Table II hereof shall apply to the area contained within the municipal boundaries of the city of Pocatello, Idaho and extending the distance of two miles beyond at all points. The area described above is referred to herein as the Pocatello Trade Area.

(iii) The maximum prices set forth in Table III hereof shall apply to the area contained within the municipal boundaries of the city of Twin Falls, Idaho and extending the distance of two miles beyond at all points. The area described above is referred to herein as the Twin Falls Trade Area.

(iv) The maximum prices set forth in Table IV hereof shall apply to the area contained within the municipal boundaries of the city of Nampa, Idaho. The area described is referred to herein as the Nampa Trade Area.

(v) The maximum prices set forth in Table V hereof shall apply to the area contained within the municipal boundaries of the city of Idaho Falls, Idaho and extending the distance of one mile beyond at all points. The area described

above is referred to herein as the Idaho Falls Trade Area.

(o) *Effective date.* This order shall become effective October 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 18th day of October 1943.

CLEM W. COLLINS,
Regional Administrator.

[F. R. Doc. 43-16953; Filed, October 18, 1943;
4:53 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 59-68]

TIDE WATER POWER COMPANY

ORDER POSTPONING DATES FOR FILING ANSWER AND HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of October 1943.

The Commission having, by order, instituted proceedings pursuant to sections 11 (b) (2), 12 (c), 15 (f) and 20 (a) of the Public Utility Holding Company Act of 1935, naming Tide Water Power Company respondent; said order requiring, among other things, that said respondent shall file with the Secretary of the Commission on or before October 18, 1943, its answer with respect to the allegations contained in paragraphs 1 to 18 of the order, and having directed that a hearing be held on October 25, 1943; and

The Commission having been requested by the respondent to extend the time within which such answer shall be filed and to postpone the hearing directed to be held, and the Commission deeming it appropriate under the circumstance that such postponements shall be granted;

It is ordered, That the period of time within which the respondent, Tide Water Power Company, shall file with the Secretary of the Commission its answer with respect to the allegations contained in paragraphs 1 to 18 of said order dated September 29, 1943, be and is hereby extended to October 25, 1943; and the hearing in this matter previously directed to be held on October 25, 1943, is postponed to November 2, 1943, at 10:00 a. m., e. w. t. at the same place and before the same trial examiner as heretofore designated.

It is further ordered, That the time within which any person desiring to be heard or otherwise to participate in said proceeding shall file his request or application therefor with the Secretary of the Commission, as provided by Rule XVII of the Commission's Rules of Practice, be and is hereby extended to October 25, 1943.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 43-16998; Filed, October 19, 1943;
12:51 p. m.]

[File Nos. 59-38, 54-84]

UNITED PUBLIC UTILITIES CORP., ET AL.

ORDER APPROVING PLAN

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 14th day of October 1943.

In the matter of United Public Utilities Corporation and its subsidiary companies, respondents, File No. 59-38; United Public Utilities Corporation, Cap F. Bourland Ice Company, Texas Ice & Refrigerating Company, File No. 54-84.

The Commission having, by order dated March 4, 1942, directed, among other things, that United Public Utilities Corporation ("UPU"), a registered holding company, divest itself of all its interest in Texas Ice & Refrigerating Company ("Texas Ice"), and Cap F. Bourland Ice Company ("Bourland") and said order having provided that the respondents should make application to the Commission for the entry of such further orders as might be necessary or appropriate for the purpose of carrying out the provisions of the above-mentioned order; the Commission having, by order dated April 23, 1943, granted an extension of time within which to comply with its order of March 4, 1942, for a period of six months without prejudice to application by the respondents for an additional extension if the circumstances warrant;

The above-named companies having filed applications and declarations, and amendments thereto, pursuant to section 11 (c) and other sections of the Public Utility Holding Company Act of 1935, and the rules and regulations of the Commission promulgated thereunder, proposing a plan for the sale of UPU's interest in Texas Ice and Bourland and the application of the proceeds to the redemption of its outstanding bonds; and requesting (1) an order of the Commission approving said plan, (2) that the Commission apply to a court to enforce the terms and provisions of said plan, (3) that said order of the Commission conform to the pertinent requirements of the Internal Revenue Code, as amended, including sections 371 (b), 371 (d), 371 (f) and 1808 (f) thereof, and contain the recitals and specifications therein set forth, and (4) entry of an order by the Commission under section 11 (c) of the Act extending the time for compliance with the Commission's order of March 4, 1942 for a further period of six months or to March 4, 1944;

The Commission having ordered a consolidation of the proceedings involving said application for approval of the plan and related applications and declarations with the pending proceedings under section 11 (b) (1) of said Act;

A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its findings and opinion herein; and

The Commission having found (1) that said plan is necessary and appropriate to effectuate the provisions of section 11 (b) of said Act and is fair and equitable to the persons affected thereby and (2)

that UPU has been unable in the exercise of due diligence to comply with said divestment order within the period provided by the statute and by our previous order for an extension of six months issued pursuant to section 11 (c) of said Act;

It is ordered, That said plan, as amended, be and the same hereby is approved, and that said applications and declarations, as amended, be and the same hereby are granted and permitted to become effective, subject to the terms and conditions prescribed in rule U-24 and to the following additional terms and conditions with respect to the proposed purchase of bonds of UPU in the market:

(1) That at least seven days before purchases are commenced UPU shall fully advise each known holder of its bonds, by letter, with respect to its intention to make such purchases through the trustee, the form of such letter to be submitted to the Commission prior to release;

(2) That UPU shall not solicit or cause to be solicited from individual bondholders the sale of any of the company's bonds;

(3) That no purchases shall be made directly or indirectly from persons or corporations in any way associated or affiliated with UPU; and

(4) That UPU shall furnish to the Commission promptly after the last day of each month a schedule showing the number of bonds purchased, the date purchased, the prices at which purchased, and the name of the broker through whom purchased.

It is further ordered, That the foregoing approval of the plan granted by the Commission shall be deemed separately applicable to and shall constitute authority for UPU to proceed immediately with the sale of the securities of Texas Ice and Bourland and the steps designated in the plan as necessary to effect a partial redemption of UPU's bonds on January 1, 1944.

It is further ordered, That, with respect to the provisions of said plan which are to be the subject of enforcement proceedings in a proper District Court of the United States, the Commission's approval of the plan as fair and equitable and as necessary to effectuate the provisions of section 11 (b), be, and hereby is, made separately applicable to (1) the provision in said plan that 4% rather than 5% is the premium to be paid upon the redemption of its bonds by UPU, in accordance with the notice of redemption provided for in the said plan, and (2) the machinery for making such redemption effective as of January 1, 1944 in the manner provided in the plan irrespective of ultimate judicial determination of the proper amount of the premium payable in connection with such redemption.

It is further ordered, That UPU be and hereby is granted an additional period of six months, or until March 4, 1944, within which to comply with the Commission's order of March 4, 1942.

It is further ordered, That the sale by UPU of the securities and indebtedness of

Texas Ice, consisting of 4,000 shares of capital stock and \$544,082.08 principal amount of promissory notes, and the securities of Bourland, consisting of 500 shares of capital stock, and the partial liquidation of Texas Ice and Bourland to be effected in connection therewith, are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935. This paragraph is included in our order at the request of UPU in view of sections 371 and 1808 of the Internal Revenue Code, as amended;

It is further ordered, That jurisdiction be and hereby is reserved to consider all matters relating to these consolidated proceedings not disposed of by this order, to entertain such further proceedings to make such further and supplemental findings and to take such additional and further action as may be found by the Commission to be appropriate in the premises in connection with the consummation of said plan and related and incidental transactions.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-16999; Filed, October 19, 1943; 12:51 a. m.]

[File No. 54-46]

LONE STAR GAS CORP., ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 15th day of October, A. D. 1943.

In the matter of Lone Star Gas Corporation, Lone Star Gas Company, Community Natural Gas Company, Texas Cities Gas Company, The Dallas Gas Company, Council Bluffs Gas Company, Lone Star Gasoline Company.

The Commission having entered its order herein on October 22, 1942 pursuant to section 11 (b) (1) of the Public Utility Holding Company Act of 1935 directing that Lone Star Gas Corporation divest itself of all its interest in, and of all ownership and control of, certain designated companies and certain designated properties;

Notice is hereby given that on October 11, 1943 Lone Star Gas Corporation and Lone Star Gas Company filed an application requesting the entry of an order by this Commission under section 11 (c) of the Act extending for one year the time within which to comply with the said order of October 22, 1942;

All interested persons are referred to said application which is on file in the office of the Commission for full details concerning the application.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held for the purpose of considering said application and for other purposes;

It is ordered, That a hearing in this proceeding be held at the office of the Securities and Exchange Commission,

18th and Locust Streets, Philadelphia, Pennsylvania, at 10:00 a. m., e. w. t., on the 28th day of October 1943, in such room as may be designated on such day by the hearing room clerk.

All persons desiring to be heard or otherwise wishing to participate should notify the Commission in the manner provided by Rule XVII of the Commission's Rules of Practice, on or before October 25, 1943.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearing above ordered. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the Act and to a Trial Examiner under the Commission's Rules of Practice.

It is further ordered, That, without limiting the scope of the issues presented by such application, particular attention will be directed at the hearing to (1) whether the applicants have exercised due diligence to comply with the Commission's order of October 22, 1942, and (2) whether an extension of time of one year for compliance with said order is necessary or appropriate in the public interest or for the protection of investors or consumers.

It is further ordered, That the Secretary of this Commission shall serve notice of this order by mailing a copy thereof by registered mail to Lone Star Gas Corporation and Lone Star Gas Company and that notice shall be given to all other persons by publication thereof in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-17000; Filed, October 19, 1943;
12:52 p. m.]

[File No. 70-761]

**CENTRAL POWER AND LIGHT COMPANY AND
AMERICAN POWER & LIGHT COMPANY**

**ORDER GRANTING APPLICATION AND PERMIT-
TING DECLARATION TO BECOME EFFECTIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 16th day of October 1943.

American Power & Light Company, a registered holding company and a subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration pursuant to section 12 (d) of the Public Utility Holding Company Act of 1935, and Central Power and Light Company, a public utility subsidiary of Central and South West Utilities Company, a registered holding company which in turn is a subsidiary of The Middle West Corporation, also a registered holding company, having filed an application pursuant to sections 9 (a) and 10 of the Act, both of which seek approval of a proposed transaction which may be summarized as follows:

Texas Electric Service Company, a subsidiary of American Power & Light Company, proposes to sell and Central Power and Light Company proposes to

acquire the electric utility properties and assets owned by Texas Electric Service Company located at and in the vicinity of Eagle Pass, Texas, and Texas Public Utilities Corporation, also a subsidiary of American Power and Light Company, proposes to sell and Central Power and Light Company proposes to acquire the ice and water properties and assets of Texas Public Utilities Corporation also located at and in the vicinity of Eagle Pass, Texas for an aggregate consideration of \$680,000 subject to certain adjustments with respect to current assets at date of closing; and

A public hearing having been held after appropriate notice and the Commission having considered the record in this matter and having made and filed its findings and opinions therein:

It is ordered, That the application of Central Power and Light Company be and hereby is granted and the declaration of American Power & Light Company be and hereby is permitted to become effective forthwith subject, however, to the terms and conditions prescribed in Rule U-24 of the General Rules and Regulations under the Act.

It is further ordered, Pursuant to section 11 (b) (1) of the Act and the consent and agreement filed in this matter by Central Power and Light Company, Central and South West Utilities Company and The Middle West Corporation, that Central Power and Light Company shall dispose of, within the period specified in section 11 (c), the water properties and assets located at and in the vicinity of Eagle Pass, Texas which are being acquired from Texas Public Utilities Corporation.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-17001; Filed, October 19, 1943;
12:51 p. m.]

[File Nos. 54-45, 59-48]

SOUTHERN UNION GAS CO., ET AL.

**ORDER GRANTING APPLICATIONS AND PERMIT-
TING DECLARATIONS TO BECOME EFFEC-
TIVE**

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 16th day of October 1943.

In the matters of Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company and Southern Union Production Company, applicants, File No. 54-45; Southern Union Gas Company, Arkansas Western Gas Company, New Mexico Gas Company, New Mexico Eastern Gas Company, Texas Southwestern Gas Company, Quanah Water Company, Southern Union Production Company, Angels Peak Oil Company, Congress Oil Company, Summit Oil Company, respondents, File No. 59-48.

Southern Union Gas Company ("Southern Union"), a registered holding company and an operating gas utility

company, and its subsidiary, Arkansas Western Gas Company ("Arkansas"), a gas utility company, having filed certain applications and declarations, in the form of amendments (designated as Amendments No. 8, 9, 10 and 11) to the application originally filed herein by Southern Union and other companies of the Southern Union holding company system for approval of a plan of system reorganization submitted pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 ("the Act"), by which present applications and declarations Commission authorization, or exemption from the necessity of such authorization, is sought in respect of proposed transactions summarized as follows:

(1) The amendment by Arkansas of its corporate charter so as to provide for the existence of but one class of stock, namely, common stock of the par value of \$5 per share, and the issuance and delivery of such reclassified stock in exchange for, and in retirement of, the presently outstanding stock of Arkansas, consisting of 2500 shares of 6% Cumulative Preferred Stock of the par value of \$50 per share and 11,270 shares of Common Stock having no par value, such exchange to be made upon the basis of the issuance and delivery of 7.6545 shares of new stock for each share of stock presently outstanding (without distinction as between preferred and common stock), no fractional shares of such new stock to be issued or delivered but cash payments to be made in lieu thereof at the rate of \$5.00 per share;

(2) The surrender to Arkansas by Southern Union of the preferred and common stock of Arkansas owned by Southern Union in exchange for new stock of Arkansas on the basis hereinabove described and the disposition by Southern Union of all the new stock of Arkansas so to be acquired by Southern Union, such disposition to be effected by means of a dividend to be declared by Southern Union upon its own common stock and to be payable in shares of the reclassified stock of Arkansas, payment thereof to be effected by delivery by Arkansas of such new stock to the persons entitled to receive such dividend, cash to be paid by Arkansas in lieu of the issuance of fractional shares in the same manner as above described in connection with the recapitalization of Arkansas;

(3) The acquisition by certain persons, namely Murchison Oil Company, Wofford Cain, John Dabney Murchison, Clint W. Murchison, Jr., C. W. Murchison and Lee Moor, owning five per cent or more of the voting securities of a public utility or holding company as defined in the Act of such amount of new stock of Arkansas as they may be entitled to receive by reason of the dividend to be declared by Southern Union, as above described;

(4) The acquisition and retirement by Southern Union of such amount of its outstanding bonds and debentures as may be necessary or convenient in carrying out the following proposals:

(a) Upon, or concurrently with the consummation of the transactions hereinabove summarized, Southern Union

will retire \$200,000 principal amount of its 25-Year Sinking Fund 6% Debentures either by purchasing such debentures in the open market and delivering the same to the trustee under the indenture securing such debentures for cancellation or by redeeming such debentures in accordance with the governing indenture provisions, or in part by each of such methods;

(b) Southern Union will also set aside an additional amount of \$200,000 in cash and will thereafter apply such cash to the acquisition of property constituting a capital expenditure or to the retirement of its first mortgage bonds or its debentures or in part to each of such purposes, and, if such funds shall not have been exhausted by February 1, 1944, Southern Union will, on that date, pay over the remaining portion thereof to the trustee under the indenture securing its first mortgage bonds or to the trustee under the indenture securing its debentures, or in part to each of such trustees, for the redemption of such debt securities;

Arkansas having requested that, in connection with its proposed recapitalization, as above described, the Commission modify a certain order entered by it under date of December 13, 1940, in that proceeding entitled "In the Matter of Arkansas Western Gas Company," identified by the Commission's File No. 70-199, by the elimination from said order of the condition contained therein and number (2), such condition imposing certain restrictions and providing for the creation of a restricted earned surplus account;

Southern Union having requested that, upon the consummation of the several transactions presently proposed, the Commission enter an order pursuant to section 5 (d) of the Act, declaring that Southern Union has ceased to be a holding company within the purview of said Act and that its registration as such shall no longer be effective;

Public hearings having been held in connection with such applications and declarations, after appropriate notice, and the Commission having considered the record herein and having made and filed its findings;

It is ordered, That said applications and declarations regarding the transactions summarized in those paragraphs hereinabove designated (1), (2), (3) and (4) be, and they are hereby, respectively, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed by Rule U-24;

It is further ordered, That the application of Arkansas for the modification of the order of this Commission entered under date of December 13, 1940, in that proceeding entitled "In the Matter of Arkansas Western Gas Company", identified by the Commission's File No. 70-199, by the elimination therefrom of that condition hereinabove mentioned be, and the same is hereby granted, and said order be, and the same is hereby so modified;

It is further ordered, That upon the filing by Southern Union of a certificate of notification of the consummation of

the transactions proposed in the subject declarations and applications in the manner and form therein set forth, and to the further effect that no director of Southern Union remains a director of Arkansas, a further order in this proceeding shall issue, as of course, declaring, pursuant to section 5 (d) of the Act, that Southern Union has ceased to be a holding company and that its registration as such shall no longer be effective, but such order shall contain conditions to the effect that all requirements, conditions and reservations contained in the order of this Commission entered in this proceeding under date of September 19, 1942, shall continue in full force and effect until complied with, or until, and unless this Commission shall, by subsequent order, or orders, amend, modify or revoke any such requirements or conditions or release any jurisdiction so reserved;

Southern Union and Arkansas having requested that the order of the Commission entered in this proceeding contain the findings and recitals necessary to meet the requirements of sections 371 and 1808 (f) of the Internal Revenue Code, as amended; and the Commission having found said requests proper to be granted;

It is further ordered, That the transactions, the transfers and exchanges of stock, securities and property, the acquisitions, expenditures and distributions, the sales and conveyances and the issuance of securities which are proposed in said amendments to the plan, or otherwise ordered by the Commission herein, including particularly those described, specified and itemized below, are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and that the exchanges of property and securities and the expenditures by each of the transferor corporations are necessary or appropriate to the integration and simplification of the holding company system of which each such transferor corporation is a member;

(a) The issuance and transfer by Arkansas of approximately 105,402 shares of its new common stock, par value \$5.00 per share, to its stockholders, including Southern Union, in lieu of and exchange for their 11,270 shares of old common stock without par value and their 2500 shares of 6% Cumulative Preferred Stock, par value \$50.00 per share, on the basis of 7.6545 new common shares for each old share of common or preferred stock presently outstanding, and the surrender and transfer by Southern Union to Arkansas of 10,196.7 old common shares and 2500 old preferred shares incident to such exchanges;

(b) The distribution by Southern Union of all its new common stock of Arkansas acquired through the exchanges and transfers above described, being approximately 97,187 shares, to its own common-stock holders as a dividend, and, for the purpose of effecting such distribution, the retransfer of certificates representing such shares to Arkansas;

(c) Upon receipt of such certificates, the transfer by Arkansas of its new common stock represented thereby to the

common-stock holders of Southern Union entitled thereto at the times and in the manner and amounts as specified in the instructions of Southern Union;

(d) The reacquisition by Arkansas of shares of its own new common stock (estimated not to exceed 700 shares in the aggregate) to be effected by the payment of cash at the rate of \$5.00 per share in lieu of issuing certificates for fractional shares to persons otherwise entitled to receive same incident to the exchanges, transfers and distributions above described;

(e) The reacquisition, or redemption, and retirement by Southern Union of first mortgage bonds of Southern Union and of 25-Year Sinking Fund 6% Debentures of Southern Union, as set forth hereinabove in that paragraph of this order numbered (4), such reacquisition, or redemption, and retirement being estimated as not exceeding \$400,000 in aggregate principal amount of said bonds and debentures.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-16995; Filed, October 19, 1943;
12:51 p. m.]

[File No. 31-62]

JERSEY CENTRAL POWER & LIGHT COMPANY
ORDER DENYING APPLICATION IN PART AND
DISMISSING APPLICATION IN PART

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 18th day of October, A. D. 1943.

Jersey Central Power & Light Company, having filed an application under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring it not to be a subsidiary company of New Jersey Power & Light Company, NY PA NJ Utilities Company, Associated Gas and Electric Corporation, Associated Gas and Electric Company, the Trustees under a voting trust agreement of March 27, 1933, for stock of Associated Gas and Electric Company, or Denis J. Driscoll or Willard L. Thorp, Trustees of Associated Gas and Electric Corporation in reorganization under Chapter X of the Bankruptcy Act; a hearing having been held on said application after due notice; the Commission being fully advised and having this day issued its findings and opinion herein:

It is ordered, on the basis of the said findings and opinion and pursuant to section 2 (a) (8) of said Act, that the said application be, and the same hereby is, denied, except insofar as it seeks an order declaring applicant not to be a subsidiary of the Trustees under the voting trust agreement of March 27, 1933, for stock of Associated Gas and Electric Company, in which respect the application shall be, and the same hereby is, dismissed.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 43-16996; Filed, October 19, 1943;
12:51 p. m.]

[File No. 70-790]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 18th day of October 1943.

In the matter of Consolidated Electric and Gas Company, Bluefield Gas Company, Washington County Gas Company and The Salem Gas Light Company.

Notice is hereby given that declarations or applications (or both) have been filed with this Commission by Consolidated Electric and Gas Company, a registered holding company, and its subsidiary companies, Bluefield Gas Company, Washington County Gas Company, and The Salem Gas Light Company.

Notice is further given that any interested person may, not later than October 23, 1943, at 5:30 p. m., e. w. t., request the Commission that a hearing be held on such matter, stating the reasons for such request and the nature of his interest, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such declaration, as filed or as amended, may become effective, as provided in Rule U-23 of the Rules and Regulations promulgated pursuant to said Act or the Commission may exempt such transactions as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized below:

Bluefield Gas Company, Washington County Gas Company, and The Salem Gas Light Company, all of whose outstanding securities are owned by Consolidated Electric and Gas Company and are pledged by it under one or more of the

indentures securing its Bonds, propose to sell all of their assets for cash. Each of such sales will be for a total consideration of less than \$100,000, and, therefore, such sales are claimed to be exempted transactions pursuant to Rule U-44 (b) (2). The cash proceeds of such sales will be paid to Consolidated Electric and Gas Company either in discharge of a like principal amount of indebtedness represented by the outstanding debt securities of such subsidiary companies or pursuant to a liquidating dividend. In accordance with provisions of the said trust indentures, Consolidated Electric and Gas Company will deposit the proceeds from such sales with the respective trustees of the indenture of trust under which the securities of such subsidiary company are pledged, such deposit being in connection with the release of such securities from pledge.

In each case, Consolidated Electric and Gas Company will surrender for cancellation to the issuer, in connection with its liquidation and dissolution, the outstanding securities of the issuer. Each of the subsidiary companies will then be dissolved in accordance with applicable state law.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-16997; Filed, October 19, 1943;
12:51 p. m.]

[File No. 31-415]

CENTRAL HUDSON GAS & ELECTRIC CORP.
ORDER DENYING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 19th day of October, A. D., 1943.

Central Hudson Gas & Electric Corporation having applied under section 2 (a) (8) of the Public Utility Holding Company Act of 1935 for an order declaring it not to be a subsidiary of The United Corporation, a registered holding

company; a hearing having been held after appropriate notice, and the Commission having this day issued its findings and opinion;

It is ordered, That the said application be, and it hereby is, denied.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 43-17061; Filed, October 20, 1943;
9:55 a. m.]

WAR PRODUCTION BOARD.

WEBER-PROVO-DIVERSION CANAL

REVOCATION OF PREFERENCE RATING

Builder: U. S. Bureau of Reclamation, Department of the Interior, Provo, Utah. Project: Weber-Provo-Diversion Canal.

The revocation of preference rating issued on December 12, 1942 and amended July 21, 1943 with respect to the above named project is hereby further amended by striking paragraph 3 thereof and by substituting the following:

3. *Prohibition of construction.* The builder shall neither perform nor permit performance of any further construction or installation on this project described above, except that the Weber-Provo-Diversion Canal may proceed to completion and except such construction as may be authorized under W.P.B. Form 617 dated July 21, 1943, Serial No. 103443, or other authorization to begin construction which may be issued by the War Production Board, and except that construction may be continued solely for purposes of safety or health or to avoid undue damage to or deterioration of materials already incorporated.

Issued this 19th day of October 1943.

WAR PRODUCTION BOARD,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 43-17042; Filed, October 20, 1943;
9:07 a. m.]





